



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

MAY 5, 2014

7:00 P.M.

• **6:00 pm – Finance & Administration Committee Meeting**

A. PLEDGE OF ALLEGIANCE

B. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

4. REPORTS

a. Services Committee Minutes – 3/10/2014

b. Finance & Administration Committee Minutes – 4/7/2014

c. Infrastructure Committee Minutes – 3/24/2014

C. NEWS, PRESENTATIONS & AWARDS

1. Children's Day Update – Shelby Wright

D. PUBLIC COMMENTS

E. POLICY AGENDA

1. PUBLIC HEARINGS

a. Application for Liquor License received from Anglers, Inc. d/b/a Anglers Restaurant at 91 Coldbrook Road

b. Application for Liquor License received from Kimberly McLaughlin d/b/a McLaughlin's at the Marina

c. Amendment to Town Council Compensation Ordinance

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

a. Warrant for Special Municipal Election

b. Notice of State Primary Election (Information Only)

NOTE: The Council will take a 5-minute recess at 8:00 pm.

3. UNFINISHED BUSINESS

- a. Route 1A Sewer Project Bid & Award – Recommendations of Infrastructure and Finance & Administration Committees
- b. Approve Sewer Bond Documents for Route 1A Sewer Project
- c. Proposed Amendment to Town Charter – Section 1003 Charter Amendments – Introduction for Public Hearing
- d. Codification of Charter & Ordinances – Finance Committee Recommendation
- e. Historic Map – Councilor Shakespeare
- f. “News, Presentations, & Awards” – Councilor Brann

4. NEW BUSINESS

- a. Zero-Sort Recycling – Infrastructure Committee Recommendation
- b. Planet Aid – Clothing Disposal Box – Infrastructure Committee Recommendation

F. COMMITTEE REPORTS

G. MANAGER’S REPORT

H. COUNCILORS’ COMMENTS

I. 2014/2015 BUDGET

- 1. Police
- 2. Fire
- 3. Public Safety

J. ADJOURNMENT

SERVICES COMMITTEE MEETING MINUTES

March 10, 2014

Attending:

Councilor Jean Lawlis	Councilor Tom Brann
Councilor Ivan McPike	Mayor Carol Duprey
Councilor Greg Sirois	Town Manager Susan Lessard
Councilor William Shakespeare	Recreation Committee Applicants
Councilor David Ryder	Hampden Farmer's Market Representatives
Residents	

The meeting was opened at 6 p.m. by Chairman Lawlis.

1. MINUTES 2-10-2014 – Motion by Mayor Duprey, seconded by Councilor Sirois to approve the minutes. The minutes were approved as presented with no changes.
2. OLD BUSINESS
 - A. Trails/parking lot – LL Bean Parcel Access Update – This item was on the agenda for information purposes. As part of an agreement with the owner of the Ammo Park, a parking lot is being created on town property off Route 202 which will allow persons to hike the approximate 2 miles of trails. More information will be presented on this as the project moves forward.
3. NEW BUSINESS
 - A. Farmer's Market – Update – Location search - Representatives of the Hampden Farmer's Market attended the meeting. They indicated that they have not yet located a new location for the market. Councilor Sirois suggested that they contact the owners of the Schacht's/EMMC plaza to see if the area adjacent to the fence between that property and the old Hampden Academy could be used. It was also suggested that the group discuss the situation with the owner of the former Hampden Academy to see if the site would be available for this season. The Town Manager mentioned the possibility of the Town creating a gravel parking lot behind the Post Office as a possible site for future years.

Applicants Johnathan Perry, Nancy Fenders, Jessica O'Neill, and Jason Sharpe attended the meeting. Each applicant did an introduction in which they identified where they lived and why they were interested in serving on the Recreation Committee. Nancy Fender is an interested parent who has worked on Children's Day events, Jessica O'Neill lives in Newburgh and is an active and involved parent whose children use the Recreation programs, Jason Sharpe is a life-long resident of Hampden who wants to see recreation programming continue in Hampden and wants to volunteer time to assist. Johnathan Perry is also a life-long resident of Hamden with an extensive background in education and coaching who wants to volunteer to help the Town continue and expand recreation opportunities for adults and children. Applicants indicted support for the use of the Skehan Center as a town recreational facility. Motion by Councilor Shakespeare, seconded by Councilor Sirois to recommend to the Council the appointment of Johnathan Perry, Nancy Fenders, Jessica O'Neill, and Jason Sharpe to the Recreation Committee. Unanimous vote in favor. The remaining four applicants will be given the opportunity to attend the next Service's Committee meeting on April 14th to meet the

Committee and discuss their interest. Council Committee members noted their appreciation for the large amount of interest in serving on the Recreation Committee.

- B. New Appointment – Johnathan Perry – Recreation Committee
- C. New Appointment – Nancy Fenders – Recreation Committee
- D. New Appointment – Nancy Foster – Recreation Committee
- E. New Appointment – Jessica O’Neill – Recreation Committee
- F. New Appointment – Jason Sharpe – Recreation Committee
- G. New Appointment – Matt Collier – Recreation Committee
- H. New Appointment – Stephanie Shayne – Recreation Committee
- I. New Appointment – Jaric Fontaine – Recreation Committee

4. PUBLIC COMMENTS - None

5. COMMITTEE MEMBER COMMENTS

Chairman Lawlis asked if there was any update from Jeremy Jones in regard to Papermill Park. There was none. She also reminded the Committee that the April meeting of the Services Committee would contain the review of the Skehan Center finances.

Councilor Ryder suggested that perhaps the Publics Works crew could place gravel adjacent to the town office parking lot during the slower season to accommodate additional parking and to allow the Farmer’s Market to use that area on Fridays. Councilor Sirois told the Committee that he would be making comments at the next Council meeting in regard to the impact of the school budget on property taxes as well as what the Town would be facing during the upcoming budget process. He also noted that he had had a conversation with a school board member who told him that the School Board was not interested in having the Town video their meetings. He had indicated to that Board Member that the Town would likely be moving forward with the project anyway since there is no permission required from the school board.

Councilor Shakespeare expressed disappointment that the item related to his donation of a map to the Town two years ago was not on the agenda of the meeting. Further, he felt that the donation had not been treated seriously and no attempt had been made to appropriately frame and hang it. He indicated that he would be taking the map home and storing it there instead.

Councilor Brann indicated that he believed that it was disgraceful that the Town had not taken steps to protect the historical document donated by Councilor Shakespeare or to have it framed and displayed.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

FINANCE & ADMINISTRATION COMMITTEE MEETING MINUTES

Monday, April 7, 2014

Attending:

Mayor Carol Duprey

Councilor Greg Sirois

Councilor David Ryder

Councilor William Shakespeare

Councilor Tom Brann

Councilor Jean Lawlis

Town Manager Susan Lessard

Residents

The meeting was opened at 6:00 p.m. by Mayor Duprey.

1. Meeting Minutes
 - a. March 17, 2014 – The minutes of the 3/17/14 meeting were reviewed and accepted with no changes.
2. Review & Sign Warrants – The warrants for payments of bills and payroll were reviewed and signed.
3. Old Business
 - a. Bangor Humane Society Contract 2014-2015 – The Town Manager reported that the Town of Bucksport animal shelter may be willing to consider acting as the animal shelter for Hampden. More information should be available by the next Finance Committee meeting. Motion by Councilor Lawlis, seconded by Councilor Ryder to defer action on this item until the next meeting. Vote 7 – 0. Motion passed.
 - b. Bid Results – Riverfront Park – Motion by Councilor McPike, seconded by Councilor Sirois to recommend to the full Council that that contract for the Riverfront Park project go to Maine Earth for the amount of \$248,985 with \$16,602 to be taken from Host Community Benefits and the balance to come from the Chevron Grant. Unanimous vote in favor.
4. New Business
 - a. Fees Ordinance Amendments – Recreation Fees – Motion by Councilor Shakespeare, seconded by Councilor McPike to recommend to the Council that a public hearing be held on the Fee Ordinance Amendments for Recreation Fees.
 - b. Acceptance of Maine Forest Service Volunteer Fire Assistance Grant – Motion by Councilor Shakespeare, seconded by Councilor McPike to recommend to the Council the acceptance of the Fire Assistance Grant with the matching 50% to be taken from the Matching Grants Reserve account in the amount of \$3,640.29. Unanimous vote in favor.
5. Public Comment – None
6. Committee Member Comments

Mayor Duprey suggested that a group photo of the Town Council could be taken and hung on the wall of the Council Chambers. This item was referred to the Services Committee for consideration.

Motion by Councilor Sirois, seconded by Councilor Shakespeare to adjourn at 6:20 p.m.

Respectfully submitted,

Susan Lessard

Town Manager

INFRASTRUCTURE COMMITTEE MEETING MINUTES
Monday March 24, 2014

Attending:

Councilor David Ryder	Public Works Director Chip Swan
Councilor Ivan McPike	Pool Director Darcy Peakall
Councilor Greg Sirois	Resident Terry McAvoy
Councilor Jean Lawlis	Resident Alex King
Councilor William Shakespeare	Resident Brian Duprey

The meeting was opened at 6:00 p.m. by Chairman Ryder.

1. MINUTES OF 2/24/2014 – Motion by Councilor Sirois, seconded by Councilor McPike to approve the minutes of the 2/24/14 meeting as presented. Vote 5 – 0. Motion carried.
2. OLD BUSINESS
 - A. Transfer Station
 1. Planet Aid – The Public Works Director presented information on Planet Aid, a nonprofit organization that would put a clothing/shoe collection container at the transfer station. Shoes and clothing not taken by residents at the end of each weekend would be put into the container for pick up by Planet Aid and they would pay the Town five cents per pound. Councilor Lawlis suggested that the Town contact Goodwill or the Salvation Army to see if they would be interested in having a container at the transfer station instead because those organizations are local. All of Planet Aid's work is done outside of the United States. The Public Works director will check with the local organizations and see if there is any interest in locating a pick up container at the transfer station.
3. NEW BUSINESS
 - A. Pool Entrance Roof Replacement – Public Works Director Chip Swan and Pool Director Darcy Peakall attended the meeting for this item. The Public Works Director had roof replacement estimates for both traditional shingles as well as a standing seam metal roof. The metal roof estimate was slightly higher but the life of the roof was estimated to be ten years longer. Motion by Councilor Lawlis, seconded by Councilor Sirois to recommend to the Council that we request bids for roof replacement of the pitched roof at the Lura Hoit Pool with two options for a standing seam and a non-standing seam metal roof. Vote 5-0. Motion carried. Given the ice build-up on that roof and the history of leaks, a metal roof of some type was considered to be the best option. Councilor Ryder suggested that the inside of the building under the roof in that section of the building should be inspected to see what might be causing the heat loss and ice buildup and whether there is internal roof damage.
 - B. Police Officers at Council & Committee Meetings –At the present time, any Councilor can ask for a police officer to be present at any meetings that they

choose. Since the Manager works at the direction of the Council as a group, and this is direction by an individual councilor, the Manager asked for direction on this item. Councilor Sirois stated that unless there had been some evidence of a threat that officers should be out patrolling and that conversation and criticism were not considered threats to a public official. Councilor Lawlis stated that there was no additional cost for it since the officer would be working anyway and that such a request from a councilor should be granted. Councilor Shakespeare indicated that there had been a time in the past when some councilors were verbally attacked after a meeting and the police had to be called. He also stated that he believed that a councilor should have the right to request that an officer be at committee or council meetings if he/she wanted to make sure that there was someone there to act as a witness to anything that occurred in the event that legal action was attempted by any party (such as filing police reports). He does not want a police officer at every meeting but strongly believes that councilors should have the right to request one if a situation occurs in which he/she feels unsafe. Councilor McPike was astonished that the conversation is taking place because he has lived here forever and finds it hard to believe that we need law enforcement at a Council meeting.

Public Comment – Alex Kind suggested that maybe the police presence keeps the meetings from getting out of control but thinks that if the officer has to leave for a call he should go. Terry McAvoy thinks this whole discussion is ridiculous. He feels that if Councilor Shakespeare feels unsafe, he should stay home.

It was the consensus of the group that a police officer attend the April 7, 2014 meeting due to the ongoing controversy surrounding participation in the pledge of allegiance, and that the practice of a councilor requesting that a police officer be in attendance at meetings be left as it stands for the time being.

- C. Gravel Parking Lot addition to Municipal Building Parking Lot – The Public Works Director indicated that the crew could do work to add gravel at the side of the upper municipal building parking lot once the snow was gone. Councilor Ryder stated that the Farmer's Market could use the Town Office parking lot on Fridays for at least a portion of the summer because if the town office hours were to be changed there would be a several month period before that started. By that time, the parking lot could have been widened with gravel and that would allow a location for the Farmer's Market vendors. If the hours did not change – the location would be free for the summer and fall. The Town Manager reported that the municipal building and pool were considered one location under Maine Site Location of Development Law and that we need to check to make sure that we do not exceed 3 acres of impervious surface or we would have to apply for a Site Location of Development Permit. An engineering estimate for preparing the application was given by Public Works Director Chip Swan as up to \$20,000.
- D. Ballfield/Cemetery/Parks – Mowing & Maintenance Discussion – Motion by Councilor Lawlis, seconded by Councilor McPike to recommend to the Town Council to go to bid for the mowing of Cemeteries for a three year contract. Vote 5-0, motion carried. The Public Works director will prepare information that

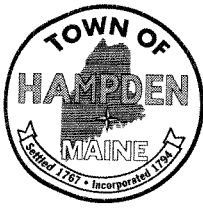
shows the current cost, including manpower, equipment, and fuel so that a comparison can be made when the bids are received.

4. PUBLIC COMMENTS – Pool Director Darcy Peakall stated that the Town crew does an excellent job of keeping the pool parking lots plowed and the walks and doorways clear and sanded/salted. Brian Duprey commented that it was rude of the Committee to sit with their backs to the audience and it made it hard for people with a hearing impairment to hear. Chairman Ryder responded that he had offered for all persons attending to sit at the table with the Committee so that everyone could hear and participate and that he (Duprey) had chosen not to do so.
5. COMMITTEE MEMBER COMMENTS – Councilor McPike stated that while we are looking at contracting cemetery mowing now, in future he also wants to look at contracting for plowing of town roads. Councilor Lawlis stated that we should work to improve our sound output so that people could hear better. Councilor Sirois noted that Committee meetings are most productive when the members can sit around a table and have productive discussions with input from persons who attend. It is a less formal structure and with the audio recordings being done, anyone who wants to hear what happened at a meeting can do so.

The meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Susan Lessard
Town Manager



E-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/5/2014

Public Hearing: Yes X No

- ☒ Application for Liquor License
☐ Application for Victualer's License
☐ Application for Off-premises Catering
☐ Application for Outdoor Wood-burning Furnace License

NAME: Anglers, Inc. d/b/a Anglers Restaurant John Moody
Business Name Individual

ADDRESS: 91 Coldbrook Rd. PHONE: 862-2121

MAP/LOT: Map 22, Lot 4 DATE: 4/28/2014

DEPARTMENT REPORT:

No concern

DATE: 04/28/14

BY: [Signature]

Title:

BY:

Title:

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES 5/19/2014

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV)
☐ HOTEL-OPTINONAL FOOD (Class I-A)
☐ CLASS A LOUNGE (Class X)
☐ CLUB (Class V)
☐ TAVERN (Class IV)

- ☐ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL (Class I,II,III,IV)
☐ CLUB-ON PREMISE CATERING (Class I)
☐ GOLF CLUB (Class I,II,III,IV)
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Anglers Inc.</u> DOB: _____				2. Business Name (D/B/A) <u>Anglers Restaurant</u>			
DOB: _____							
DOB: _____				Location (Street Address) <u>91 Coldbrook Rd</u>			
Address <u>60 West Evergreen Ln.</u>				City/Town <u>Hampden</u>		State <u>ME</u> Zip Code <u>04444</u>	
				Mailing Address <u>91 Coldbrook Rd</u>			
City/Town <u>Swanville</u>		State <u>ME</u>		Zip Code <u>04915</u>		City/Town <u>Hampden</u>	
						State <u>ME</u> Zip Code <u>04444</u>	
Telephone Number <u>207-322-5071</u>				Business Telephone Number <u>207-862-2121</u>			
Fax Number <u>862-2120</u>				Fax Number <u>862-2120</u>			
Federal I.D. # <u>01-0531899</u>				Seller Certificate # _____			

3. If premises is a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ 0 FOOD \$ ✓ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
- complete Supplementary Questionnaire ,If YES
6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
7. If manager is to be employed, give name: John Moody
8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: open

Business hours: 11am - 8PM Daily

9. Business records are located at: 91 Coldbrook Rd Hampden, ME 04444

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Albert Hall	3/1/1956	Sanford, ME
John Moody	12/11/1987	Milford, CT

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Albert Hall - 64 W Evergreen Lane Swanville Maine
John Moody - Belfast, Maine - Monroe, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: John Moody

Date of Conviction: Oct 12, 2011

Offense: OUI

Location: Hampden, ME

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

See Attached Sheet

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .8 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Mortgage thru Camden National Bank

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20____
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Albert Hall IV

Print Name

Signature of Applicant or Corporate Officer(s)

John Moody

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)
On: _____
Date

The undersigned being: ف Municipal Officers ف County Commissioners of the
ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a pub-

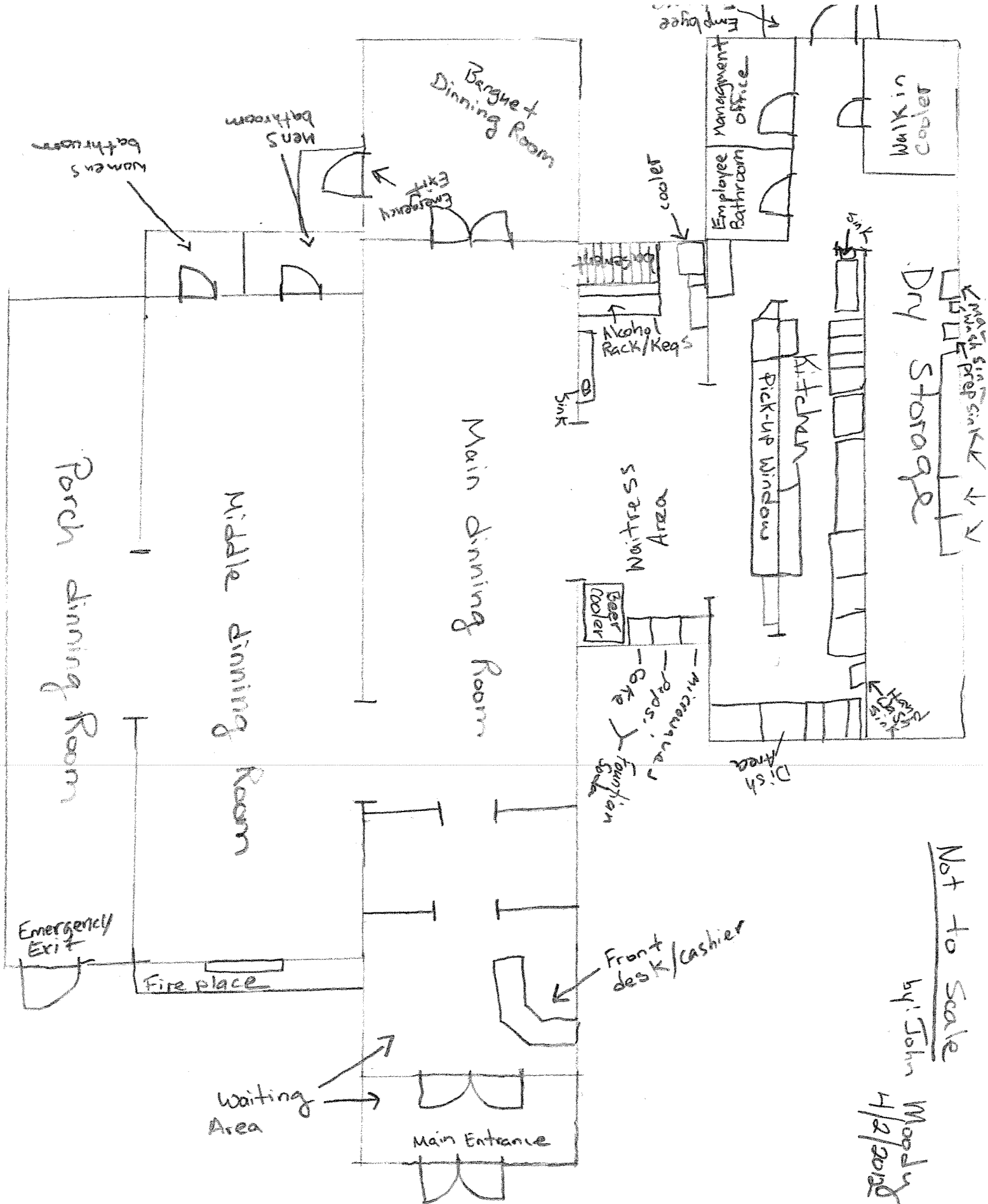
lic hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c.730, §27 (rp).]

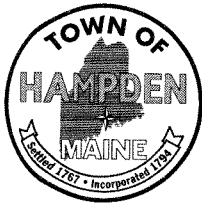
4. No license to person who moved to obtain a license. (REPEALED)

5. (TEXT EFFECTIVE 3/15/01) Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



Not to scale
by: John Moody
4/2/2002



E-1-b

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 5/5/2014

Public Hearing: Yes X No

- ☒ Application for Liquor License
☐ Application for Victualer's License
☐ Application for Off-premises Catering
☐ Application for Outdoor Wood-burning Furnace License

NAME: McLaughlin's at the Marina Kimberly McLaughlin
Business Name Individual

ADDRESS: 100 Marina Rd. PHONE: 990-1111

MAP/LOT: Map 28, Lot 17-A1 DATE: 4/15/2014

DEPARTMENT REPORT:

No concerns

DATE: 04/16/15

BY: [Signature]
Title: Public Safety Director

BY:
Title:

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

July? June

INDICATE TYPE OF PRIVILEGE:

☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)
☐ HOTEL-OPTINONAL FOOD (Class I-A)
☐ CLASS A LOUNGE (Class X)
☐ CLUB (Class V)
☐ TAVERN (Class IV)

☒ RESTAURANT/LOUNGE (Class XI)
☐ HOTEL (Class I,II,III,IV)
☐ CLUB-ON PREMISE CATERING (Class I)
☐ GOLF CLUB (Class I,II,III,IV)
☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
DOB: <i>Kimberly L. McLaughlin</i>		<i>McLaughlin's At the Marina</i>	
DOB: <i>1/16/62</i>			
Address <i>299 South Rd</i>		Location (Street Address) <i>100 Marina Rd</i>	
City/Town <i>Holden</i>		City/Town <i>Hamden</i>	
State <i>ME</i>		State <i>ME</i>	
Zip Code <i>04409</i>		Zip Code <i>04404</i>	
Telephone Number <i>207-974-9228</i>		Business Telephone Number <i>990-111</i>	
Fax Number <i>55-0914914</i>		Fax Number <i>1150664</i>	
Federal I.D. # <i>55-0914914</i>		Seller Certificate # <i>1150664</i>	

3. If premises is a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ *0* FOOD \$ *500,000* LIQUOR \$ *40,000*

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: _____

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

9. Business records are located at: *100 Marina Rd*

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Kimberly L. Howe (McLaughlin)	1/10/62	East Fairfield

Residence address on all of the above for previous 5 years (Limit answer to city & state)

299 South Rd Holden ME 04429

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 3 miles Which of the above is nearest? _____

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Mortgage

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Holden, Maine on April 8, 2014

Town/City, State

Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes

☐

No

☒

10. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

Kimberly McLaughlin

Signature of Duly Authorized Person

Kimberly McLaughlin

Print Name of Duly Authorized Person

Date

4/7/2014

Submit Completed Forms To: Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
164 State House Station
Augusta, Me 04333-0101
Telephone Inquiries: (207) 624-7220

The undersigned being: ف Municipal Officers ف County Commissioners of the
 ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings: bureau review: appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control: [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner: [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all license requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.
 An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

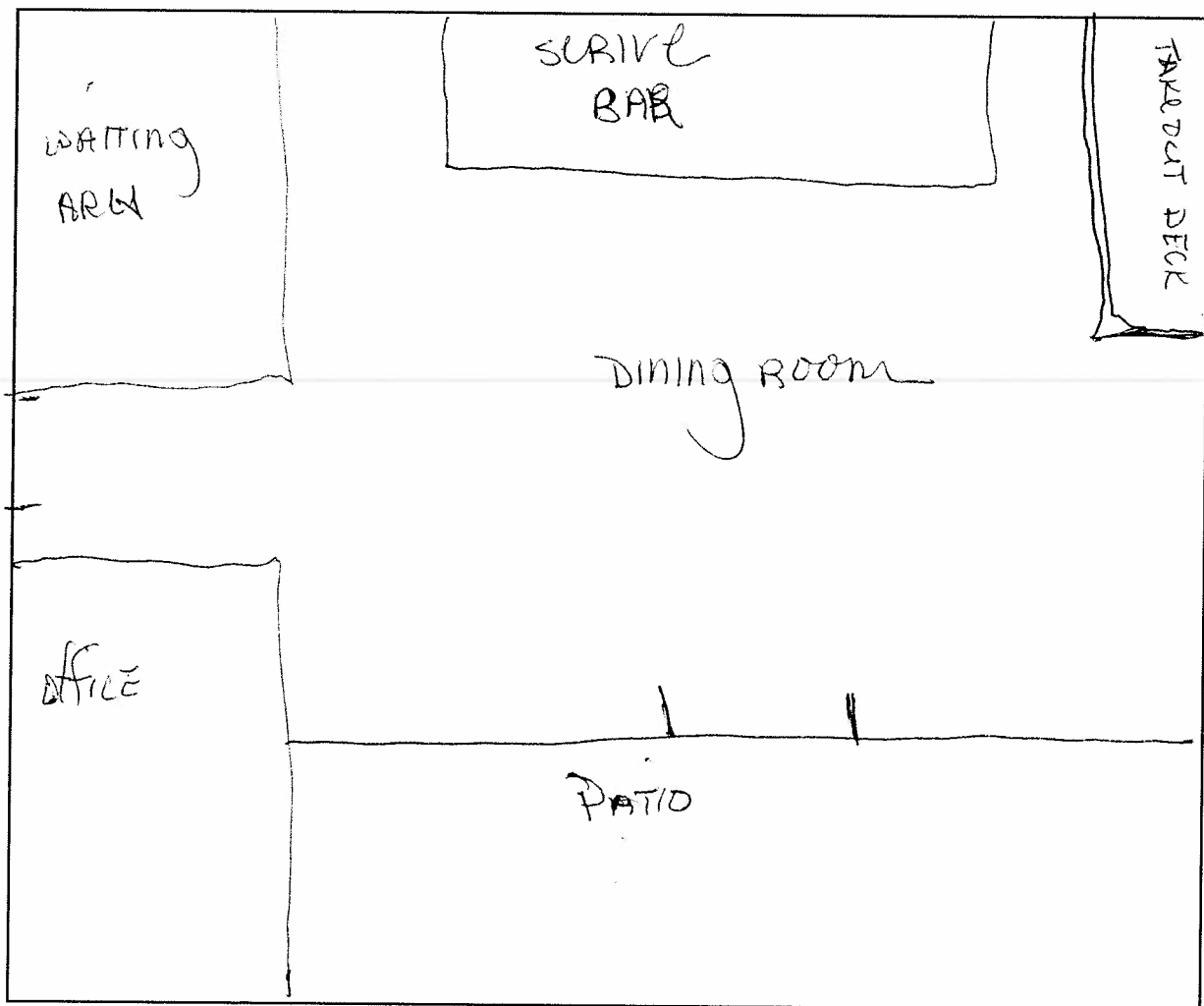


Bureau of Alcoholic Beverages
Division of Liquor Licensing & Enforcement
164 State House Station
Augusta, ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 387-3424

SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



E-1-c

Town Council Compensation Ordinance

The Town of Hampden hereby ordains that the following amendments to the Town Council Compensation Ordinance be enacted

Deletions shown by ~~strikeout~~.

Additions shown by underlining.

Section 1. Pursuant to Sec. 203 of the Town Charter, the Hampden Town Council hereby determines that effective July 1, 2014 the annual salary of the chairman and councilors shall be as follows:

Chairman	\$35.00 <u>0.00</u> /meeting
Other Councilors	\$30.00 <u>0.00</u> /meeting

~~Section 2. For the purposes of this Ordinance, a meeting shall include all regular or special meetings of the Town Council, as well as the meetings of its committees. In order to be eligible for compensation for a meeting, the chairman or councilor must have been present at the meeting.~~

~~Section 3. Pursuant to Sec. 203 of the Town Charter, the foregoing increase in salary shall become effective as of the first regularly scheduled meeting in January 2006, said meeting being the commencement of the terms of councilors elected at the next regular election scheduled for November 8, 2005.~~

Introduced for Public Hearing: 4/22/2014

E-2-a

**WARRANT FOR SPECIAL MUNICIPAL ELECTION
TOWN OF HAMPDEN, MAINE
JUNE 10, 2014**

COUNTY OF PENOBSCOT, SS.

TO: Devon Patterson, a resident of Hampden.

You are hereby required in the name of the State of Maine to notice the voters of
Hampden, Maine.

You are hereby notified that a Special Municipal Election in the municipality will be held at the Municipal Building Community Room, on Tuesday, the tenth day of June in the year of our Lord two thousand fourteen for the purpose of effecting the referendum election as follows:

To determine the following Referendum Question:

ARTICLE 1. Shall the Charter amendment reprinted below be approved?

[] Yes [] No

The Town of Hampden hereby ordains that the following amendments to the Town Charter be enacted:

Deletions stricken
Additions underlined

Sec. 807 DISTRICT BOUNDARIES

District boundaries are as follows:

~~*DISTRICT 1:* Beginning on the shore of the Penobscot River at the Hampden/Bangor line; thence southwesterly by and along the shore of the Penobscot River to the Edythe Dyer Library; thence northwesterly by and along the centerline of the Library access road to the centerline of Route 1-A; thence northeasterly to the centerline of Daisy Lane; thence northwesterly by and along the centerline of Daisy Lane and a continuation thereof to Route 202; thence across Route 202 to a point on the northerly boundary thereof located 1200 feet northeasterly of the centerline of Coldbrook Road; thence northwesterly 1200 feet northeasterly of and parallel to the centerline of Coldbrook Road to the Hampden/Hermon town line; thence northeasterly and southeasterly by and along the Hampden town line to the point of beginning.~~

WARRANT FOR SPECIAL MUNICIPAL ELECTION
TOWN OF HAMPDEN, MAINE
JUNE 10, 2014
Page 2 of 4

DISTRICT I: Beginning on the shore of the Penobscot River at the Hampden/Bangor town line; thence southwesterly by and along the shore of the Penobscot River to the centerline of the extension of Carver Road; thence northwesterly by and along the centerline of Carver Road to the centerline of Route 1A; thence southwesterly by and along the centerline of Route 1A to the centerline of Coldbrook Road; thence northwesterly by and along the centerline of Coldbrook Road to the centerline of Route 202; thence northeasterly by and along the centerline of Route 202 to the Hampden/Bangor town line; thence northeasterly and southeasterly by and along the Hampden town line to the point of beginning.

~~DISTRICT II: Beginning at the shore of the Penobscot River at Edythe Dyer Library; thence southwesterly by and along the shore of the Penobscot River to the Souadabscook Stream; thence northwesterly by and along the centerline of the Souadabscook Stream to the centerline of Route 1-A; thence southerly by and along the centerline of Route 1-A to the centerline of Reed's Brook; thence westerly by and along the centerline of Reed's Brook to the centerline of the railroad tracks; thence northerly by and along the centerline of the railroad tracks to the Hampden/Hermon town line; thence northeasterly by and along the town line to a point marking the northwesterly corner of District I; thence southeasterly by and along the westerly boundary of District I to the point of beginning.~~

DISTRICT II: Beginning at the shore of the Penobscot River at the extension of the centerline of Carver Road; thence southwesterly by and along the shore of the Penobscot River to the centerline of Reed's Brook; thence westerly by and along the centerline of Reed's Brook to the centerline of Route 1A; thence southerly by and along the centerline of Route 1A to the centerline of Kennebec Road; thence westerly by and along the centerline of Kennebec Road to the centerline of Mayo Road; thence northwesterly by and along the centerline of Mayo Road to the centerline of Route 9; thence westerly by and along the centerline of Route 9 to the railroad tracks; thence northerly by and along the centerline of the railroad tracks to the Hampden/Hermon town line; thence easterly by and along the Hampden/Hermon and Hampden/Bangor town line to the centerline of Route 202; thence southwesterly by and along the centerline of Route 202 to the centerline of Coldbrook Road; thence southeasterly by and along the centerline of Coldbrook Road to the centerline of Route 1A; thence northeasterly by and along the centerline of Route 1A to the centerline of Carver Road; thence southeasterly by and along the center line of Carver road to the point of beginning.

~~DISTRICT III: Beginning at the centerline of the Souadabscook Stream at the Penobscot River; thence northwesterly along the centerline of the Souadabscook Stream to the centerline of Route 1-A; thence southerly by and along the centerline of Route 1-A to the centerline of Reed's Brook; thence westerly by and along the centerline of Reed's Brook to the centerline of the railroad tracks; thence southerly by and along the centerline of the railroad tracks to the centerline of Kennebec Road; thence westerly by and along the centerline of Kennebec Road to the Hampden/Newburgh town line; thence southerly by and along the Hampden/Newburgh town line to the Hampden/Winterport town line;~~

WARRANT FOR SPECIAL MUNICIPAL ELECTION
TOWN OF HAMPDEN, MAINE
JUNE 10, 2014
Page 3 of 4

~~thence easterly by and along the Hampden/Winterport town line to the shore of the Penobscot River; thence northerly by and along the shore of the Penobscot River to the point of beginning.~~

DISTRICT III: Beginning on the shore of the Penobscot River at the centerline of Reed's Brook; thence southerly by and along the shore of the Penobscot River to the Hampden/Winterport town line; thence southwesterly by and along the Hampden/Winterport town line to the centerline of Route 69; thence northwesterly by and along the centerline of Route 69 to the centerline of Kennebec Road; thence easterly by and along the centerline of Kennebec Road to the centerline of Meadow Road; thence northwesterly by and along the centerline of Meadow Road to the centerline of Patterson Road; thence northeasterly by and along the centerline of Patterson Road to the centerline of Route 9; thence easterly by and along the centerline of Route 9 to the centerline of Mayo Road; thence southeasterly by and along the centerline of Mayo Road to the centerline of Kennebec Road; thence easterly by and along the centerline of Kennebec Road to the centerline of Route 1A; thence northerly by and along the centerline of Route 1A to the centerline of Reed's Brook; thence easterly by and along the centerline of Reed's Brook to the point of beginning.

~~DISTRICT IV: Beginning at the intersection of the centerline of the railroad tracks and the centerline of the Kennebec Road; thence westerly by and along the centerline of the Kennebec Road to the Hampden/Newburgh town line; thence northerly by and along the Hampden/Newburgh town line to the intersection of the Hampden/Newburgh/Carmel/Hermon town lines; thence northeasterly, northerly, southeasterly, and northeasterly by and along the Hampden/Hermon town line to the centerline of the railroad tracks; thence southerly by and along the centerline of the railroad tracks to the point of beginning.~~

DISTRICT IV: Beginning at the intersection of the centerline of the railroad tracks and the centerline of Route 9; thence westerly by and along the centerline of Western Avenue to the centerline of Patterson Road; thence southwesterly by and along the centerline of Patterson Road to the centerline of Meadow Road; thence southeasterly by and along the centerline of Meadow Road to the centerline of Kennebec Road; thence westerly by and along the centerline of Kennebec Road to the centerline of Route 69; thence southeasterly by and along the centerline of Route 69 to the Hampden/Winterport town line; thence southwesterly by and along the Hampden/Winterport town line to the Hampden/Newburgh town line; thence northerly by and along the Hampden/Newburgh town line to the intersection of the Hampden/Newburgh/Carmel/Hermon town lines; thence northeasterly, northerly, southeasterly, and northeasterly by and along the Hampden/Hermon town line to the centerline of the railroad tracks; thence southerly by and along the centerline of the railroad tracks to the point of beginning.

Effective Date: These Charter Amendments shall take effect upon adoption by the voters, and shall apply to the District elections commencing on November 4, 2014.

WARRANT FOR SPECIAL MUNICIPAL ELECTION
TOWN OF HAMPDEN, MAINE
JUNE 10, 2014
Page 4 of 4

Summary: Title 30-A M.R.S. § 2503 requires that each district for the election of municipal officers must contain as nearly as possible the same number of inhabitants according to the latest Federal Decennial Census. The 2010 Census revealed that the number of inhabitants in the Districts varied significantly, and that the Districts as established in 2001 do not comply with the requirements of § 2503. The proposed re-districting will bring Hampden's Districts into compliance with § 2503. If these Charter Amendments are not enacted, § 2503(2) provides that the four District councilor seats slated for election on November 4, 2014 must be elected at large and the councilors so elected shall serve until their terms expire.

The Polls shall be opened at 8:00 a.m. and closed at 8:00 p.m. The Registrar of Voters will hold office while the Polls are open at the Polling Place to correct any error in or change a name on the voting list, to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered to vote may not vote in any Election.

Pursuant to Title 21-A, Section 759(7), absentee ballots will be processed at the polls at the following times:

- June 9, 2014 (Day **Before** Election Day) – Continuously beginning at 9:00 am or immediately following a requested inspection; and
- June 10, 2014 – 9:00 am; 11:00 am; 1:00 pm; 3:00 pm; 5:00 pm and 8:00 pm

Dated at Hampden, Maine this _____ day of May, 2014.

_____	_____
_____	_____
_____	_____

Majority of Municipal Officers of Hampden, Maine

A True Copy:

ATTEST: _____
Town Clerk of Hampden, Maine

E-2-b

State of Maine
Notice of Primary Election
Tuesday, June 10, 2014

Municipality Town of Hampden Voting District _____

Voting Place Name: Municipal Building Community Room Voting Place Location: 106 Western Avenue

Polls Open at 8:00 A.M.

Polls Close at 8:00 P.M.

Absentee Ballot Processing (check all that apply):

Processed by: ☒ Municipal Clerk (Centrally) ☒ Warden (At polls)

Date/Time of Processing (check all that apply):

☒ Day **Before** Election Day (6/9/14) *

1-Hour Inspection Time Period: 9:00 am to 10:00 am

Time Processing Begins: 9:00 am or immediately following a requested inspection

☒ **During** Election Day (6/10/14) Processing Time(s): 9:00 am; 11:00 am; 1:00 pm; 3:00 pm; 5:00 pm and 8:00 pm

☐ **Only** after 8 p.m. on Election Day (6/10/14)

Federal and State Offices To Be Voted On:

County Offices (Please list):

United States Senator

Judge of Probate

Governor

County Treasurer

Representative to Congress, District 2

Registrar of Deeds

State Senator, District 10

Sheriff

State Representative, District 101

District Attorney

A True Copy
Attested

Denise R. Hodsdon
(Signature of Municipal Clerk)

Date 5/1/2014

* Clerk has read and will comply with the Uniform Guidelines for Securing Ballots and Other Materials.

dh
Clerk initials

DRAFT

INFRASTRUCTURE COMMITTEE MEETING MINUTES
Monday April 28, 2014

E-3-a
E-4-a
E-4-b

Attending:

Mayor Carol Duprey	Councilor William Shakespeare
Councilor David Ryder	Councilor Tom Brann
Councilor Ivan McPike	Councilor Greg Sirois
Councilor Jean Lawlis	Public Works Director Chip Swan
Town Manager Sue Lessard	Resident Terry McAvoy
Jim Dunning, Casella	

The meeting was opened at 6:02 p.m. by Chairman Ryder.

1. MINUTES OF 3/24/2014 – Motion by Councilor McPike, seconded by Councilor Lawlis to approve the 3/24/14 minutes. Unanimous vote in favor
2. OLD BUSINESS
 - A. Single Stream Recycling – Jim Dunning of Casella Waste did a slide show presentation to the Committee regarding the Zero-Sort recycling program that their company offers. The Town has been utilizing the City of Bangor for recyclables but as of July 1st the City of Bangor is converting to Zero Sort recycling so the Town of Hampden has to decide whether to stick with the current recycling system and truck the commodities to Hancock, or to convert to Zero Sort recycling.

The Zero Sort process allows recycling of more commodities and requires no separation by the consumer of them. Casella would install a compactor unit for the process at the Transfer Station. The only out of pocket startup costs for the town would be some site work to located the compactor. The company also provides public education materials (mailings) so that residents can learn about the process. The proposal received from Casella indicates that the net savings to the Town would be approximately \$5,000 per year, however it should also reduce the amount of waste that is sent for incineration and the fees associated with that process. Casella will also absorb any fine associated with the Guaranteed Annual Tonnage to Perc amount not being met due to an increased percentage of waste being recycled.

Motion by Councilor Lawlis, seconded by Councilor Sirois to recommend to the full Council to contract with Casella Waste Systems for a three year contract for Zero Sort Recycling effective 7/1/2014. 6-0-1 (Brann not in attendance for entire presentation). Mr. Dunning will attend the Council meeting on 5/5/2014 to explain the program.

- B. Transfer Station
 1. Planet Aid/Goodwill/Salvation Army – Public Works Director Chip Swan reported that neither Goodwill nor the Salvation Army would put a container at the Transfer Station for the disposal of clothing that was left at the end of each week. Motion by Councilor Sirois, seconded by Councilor Duprey to recommend to the Council that the Town have an agreement with Planet Aid to have a collection box at the Transfer Station for clothing at the end of each week. Unanimous vote in favor. The Town will be paid .05 per lb. for clothing collected.
- C. Bids – Cemetery Mowing – The Committee reviewed bids from four contractors for the mowing of cemeteries. Public Works Director Chip Swan requested that Public Works retain this work

for another year to allow him to better document what the actual costs of providing the service are. In the coming year all time cards would have the breakdown between mowing building lots or fields or cemeteries. In order to offset savings that would have been realized by going with a contract, he suggested that he remove one of the part-time buildings and grounds summer employees. That would save the overall Building and Grounds Budget \$11,034 per year for the three year contract. Councilor McPike was in favor of moving forward with cemetery mowing as a contracted service and suggested that if savings could have been made internally – that they should have been made prior to this. Motion by Councilor McPike, seconded by Mayor Duprey to award the Cemetery Mowing Bid to YardPros for \$111,375. Vote 2-5. (Duprey, McPike in favor) Motion did not pass.

- D. Bids – Sewer Project – Public Works Director Chip Swan reviewed bids received for the Route 1A Sewer Project. The low bid was from T Buck Construction. The bid was reviewed by the Town's engineering firm for compliance with specifications and the Public Works Director checked references on the firm. The specifications were met and the reviews were positive. Motion by Councilor McPike, seconded by Councilor Lawlis to recommend to the full Council to accept the low bid of \$811,124 from T Buck Construction for the Route 1A Sewer project. Unanimous vote in favor.
- E. 2014/15 Paving – The Public Works Director presented the list of roads for paving in 2015. The total cost of this paving is estimated at \$354,395 and the amount available for paving (if budgeted at last year's amounts) is approximately \$205,000. It was suggested that Fowler, Manning Mill, Miller, and North County road could be taken off the list and the roads remaining – Old County, Triangle, Mecaw, Penobscot Meadows Drive and Marina Road could be paved for the amount of money that would be available. While all councilors expressed concern over going further behind in the paving program, they disagreed on how best to move forward. This item will be discussed as part of the 2014/15 budget.

3. NEW BUSINESS - None

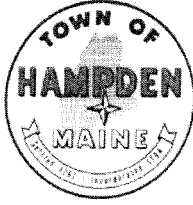
4. PUBLIC COMMENTS - None

- 5. COMMITTEE MEMBER COMMENTS – Councilor McPike questioned when the Town was going to repair/replace the culvert at the end of Coldbrook Road. The Public Works Director indicated that it was in the upcoming year's budget.

Motion by Councilor McPike, seconded by Councilor Sirois to adjourn at 7:35 p.m.

Respectfully submitted,

Susan Lessard
Town Manager



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

April 28, 2014

To: Sue Lessard
From: Chip Swan
Subject: RTE 1A Sewer Project Bids

Bids were Opened 4.24.14 for the sewer and pump station replacement project. There were four bidders:

	<u>TOTAL BID</u>
T. BUCK CONSTRUCTION	\$811,124.00
MAINE EARTH	\$823,370.00
FEDERAL PROGRAM INTEGRATORS	\$881,841.62
SARGENT CORP	\$942,850.00

Attached is a letter from Woodard & Curran.

I recommend awarding the bid to T. Buck Construction for the amount of \$811,124.00

Yours truly,

Chip Swan, PWD

E-3-a

2d

**TOWN OF HAMPDEN
ROUTE 1A SEWER REPLACEMENT PROJECT**

BID SHEET

**April 23, 2014
1:00 PM**

BIDDER	TOTAL BID PRICE
Federal Program Integrators	881,841.62
Sargent Corp.	942,850.00
Maine Earth	823,370.50
T Buck Construction	811,124.00

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

One Merchants Plaza | Suite 501
Bangor, Maine 04401
www.woodardcurran.com

T 800.564.2333
T 207.945.5105
F 207.945.5492

April 25, 2014



Chip Swan
Public Works Director
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Main Road North Sewer Main Replacement Project – Bid Recommendation

Dear Chip:

As you know, bids were opened on 4/24/2014 for the Hampden Main Road North Sewer Main Replacement Project. There were four responsive bidders which included T. Buck Construction, Maine Earth, Sargent, and Federal Program Integrators. I have attached a bid tabulation with this letter.

The apparent low bid was received from T. Buck Construction, with a bid of \$811,124. The second low bid was \$823,320.50 from Maine Earth, which is \$12,196.50 more than the low bid. Total bids ranged to a high of \$942,850. The apparent low bid is within the estimate we prepared for the project.

During our review of the bids, we discussed T. Buck's bid with Travis Saucier of to confirm T. Buck's bid price. Travis was comfortable with T. Buck's bid price and stated that T. Buck is ready to enter into an agreement at the Town's convenience. In addition, T. Buck has submitted all of the required paperwork for the bid to be considered complete. Based on this, and our prior experience working with T. Buck, it is our belief that the Town should award the project to T. Buck Construction for \$811,124.

Please let me know if you have any questions. Otherwise, we will wait for your approval to issue a Notice of Intent to Award and organize a contract signing.

Sincerely,

Woodard & Curran

A handwritten signature in dark ink, appearing to read "James D. Wilson", is written over a horizontal line.

James D. Wilson, PE
Senior Vice President

JDW/ces
213302.11

Enclosure(s)

cc: Charlie Smith

Daniel S. Pittman
dpittman@eatonpeabody.com

Eaton Peabody

Attorneys at Law

E-3-b
80 Exchange Street, P.O. Box 1210
Bangor, Maine 04402-1210
Phone 207-947-0111 Fax 207-942-3040
www.eatonpeabody.com

April 29, 2014

Ms. Susan Lessard
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Maine Municipal Bond Bank 2014 Spring Issue
General Obligation Wastewater Bond - \$902,050

Dear Susan:

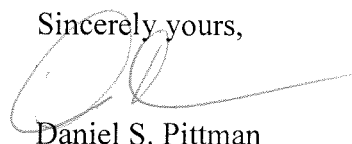
I have received final closing instructions and interest rates from the Maine Municipal Bond Bank with regard to the Spring 2014 bond issue. **Please note we must return the requested documents to the Bond Bank not later than May 13, 2014.** Enclosed please find a fully executed loan agreement for your files and the following documentation with regards to the above captioned Bond:

1. The original Bond, in the principal amount of \$902,050 to be signed by the Treasurer (in two places) and the Selectmen, with the seal affixed and attested by the Clerk. Please note that the Bond should be signed twice by the Treasurer.
2. Arbitrage and Use of Proceeds Certificate, to be executed by the Treasurer, with the seal affixed and attested by the Clerk.
3. Internal Revenue Service Form 8038-G, to be executed by the Treasurer.
4. Indebtedness Certificate to be completed and executed by the Treasurer.
5. Clerk's Certificate to be executed and attested by the Clerk with the Seal affixed.

Once these documents have been properly executed, please return them to me as soon as possible, but no later than **May 8, 2014**, so I may proceed with a timely filing and meet the deadline set by the Maine Municipal Bond Bank.

If you have any questions or comments regarding the enclosed documents or these instructions, please give me a call.

Sincerely yours,



Daniel S. Pittman

LOAN AGREEMENT

AGREEMENT, dated the 23rd day of April 2014, between the MAINE MUNICIPAL BOND BANK, a public body corporate and politic constituted as an instrumentality of the State of Maine exercising public and essential government functions (hereinafter referred to as the "Bank"), created pursuant to the provisions of Chapter 225 of Title 30-A of the Maine Revised Statutes, as amended (hereinafter referred to as the "Act"), having its principal place of business in Augusta, Maine, and Town of Hampden (hereinafter referred to as the "Governmental Unit"):

WITNESSETH:

WHEREAS, pursuant to the Act, the Bank is authorized to make loans of money (hereinafter referred to as the "Loans") to governmental units and the governmental units are authorized to contract with the Bank with respect to such Loans to be evidenced by its municipal securities (as defined in the Act) to be purchased by the Bank; and

WHEREAS, the Governmental Unit is desirous of borrowing money from the Bank and has requested a loan from the Bank in the amount of **\$902,050** (hereinafter referred to as the "Loan") and to evidence the indebtedness to be thereby incurred, has duly authorized the issuance of bonds in the principal amount of **\$902,050** of which **\$902,050** principal amount (the "Municipal Bonds"), the form of which is attached hereto as Exhibit B, are to be purchased by the Bank in accordance with this Loan Agreement; and

WHEREAS, the Bank has adopted or will adopt a General Bond Resolution (herein referred to as the "Bond Resolution") authorizing the issuance of its bonds from time to time, a portion of the proceeds of which will be expended for the purpose of making the Loan, and will adopt a resolution authorizing the making of the Loan to the Governmental Unit and the purchase of the Municipal Bonds,

NOW, THEREFORE, the parties agree:

I. The following words or terms used herein shall have the following meanings:

(a) "Fees and Charges" shall mean all fees and charges authorized to be charged by the Bank for the use of its services or facilities pursuant to subsection I(h) of section 5954 of the Act.

(b) "Governmental Unit's Allocable Proportion" shall mean the proportionate amount of the total requirement in respect of which the term is used determined by the ratio that the Loan then outstanding bears to the total of all Loans which are then outstanding as certified by the Bank.

(c) "Loan Obligation" shall mean that amount of bonds issued by the Bank which shall be equal to the principal amount of Municipal Bonds outstanding.

(d) "Municipal Bonds Interest Payments" shall mean the amount to be paid by the Governmental Unit pursuant to this Loan Agreement representing interest due or to become due on its Municipal Bonds.

(e) "Municipal Bonds Principal Payments" shall mean the amount to be paid by the Governmental Unit pursuant to this Loan Agreement representing principal due or to become due on its Municipal Bonds.

2. The Bank hereby agrees to make the Loan and the Governmental Unit hereby agrees to accept the Loan in the amount of **\$902,050**. As evidence of the Loan made to the Governmental Unit, the Governmental Unit hereby agrees to sell to the Bank the Municipal Bonds in the principal amount of **902,050**. The Municipal Bonds shall bear interest from the date of their delivery to the Bank at such rate or rates per annum as will result in an interest cost rate to the Governmental Unit of six per centum per annum (6%) (as calculated by the "Interest Cost Per Annum" method) or at such rate or rates per annum as will result in a lesser interest cost rate to the Governmental Unit as determined by the Bank. The interest cost rate for purposes of this Loan Agreement will be computed as if the Municipal Bonds bore interest from the delivery date of the Bank's bonds, and without regard to Sections 4 and 5 hereof which require that the Governmental Unit make funds available to the Bank for the payment of principal and interest at least thirty (30) calendar days prior to each respective principal and interest payment date. Subject to any applicable legal limitations, the rate or rates of interest borne by the Municipal Bonds shall be not less than the rate or rates of interest borne by the bonds issued by the Bank (for corresponding maturities) the proceeds of sale of which were used to make the Loan and to purchase the Municipal Bonds. Notwithstanding the above, the obligation of the Bank to make the Loan shall be conditioned upon receipt by the Bank of the proceeds of bonds issued by the Bank both for the purposes set forth herein and to create the reserves required by the Bond Resolution.

3. The Governmental Unit has duly adopted or will adopt all necessary resolutions and has taken or will take all proceedings required by law to enable it to enter into this Loan Agreement and issue its Municipal Bonds for purchase by the Bank.

4. The Municipal Bonds Interest Payments shall not be less than the total amount of interest the Bank is required to pay on the Loan Obligation and shall be scheduled by the Bank in such manner and at such times as to provide funds sufficient to pay interest as the same becomes due on the Loan Obligation and the Governmental Unit shall make such funds available to the Bank at least thirty (30) calendar days prior to each interest payment date.

5. The Municipal Bonds Principal Payments shall be scheduled by the Bank in such manner and at such times as to provide funds sufficient to pay the principal of the Loan Obligation as the same matures (based upon the maturity schedule provided by and for the Governmental Unit and appended hereto as Exhibit A) and the Governmental Unit shall make such funds available to the Bank at least thirty (30) calendar days prior to each principal payment date.

6. The Governmental Unit agrees to be obligated to pay Fees and Charges to the Bank. The Fees and Charges, if any, collected from the Governmental Unit shall be in an amount sufficient, together with the Governmental Unit's Allocable Proportion of other monies available therefore, including any grants made by the United States of America or any agency or instrumentality thereof or by the State or any agency or instrumentality thereof, to pay on a semi-annual basis:

(a) as the same become due, the Governmental Unit's Allocable Proportion of the administrative expenses of the Bank; and

(b) as the same become due, the Governmental Unit's Allocable Proportion of the fees and expenses of the trustee and paying agents for the bonds of the Bank.

7. The Governmental Unit agrees to be obligated to make the Municipal Bonds Principal Payments scheduled by the Bank on an annual basis and agrees to be obligated to make the Municipal Bonds Interest Payments scheduled by the Bank and to pay the Fees and Charges imposed by the Bank on a semi-annual basis.

8. The Bank shall not sell and the Governmental Unit shall not redeem prior to maturity any of the Municipal Bonds with respect to which the Loan is made by the Bank prior to the date on which all outstanding bonds issued by the Bank with respect to such Loan are redeemable, and shall not after such date sell any such Municipal Bonds unless the sales price thereof received by the Bank shall not be less than the aggregate of (i) the principal amount of the Loan Obligation so to be redeemed, (ii) the interest to accrue on the Loan Obligation so to be redeemed to the next redemption date thereof not previously paid, (iii) the applicable premium, if any, payable on the Loan Obligation so to be redeemed, (iv) the costs and expenses of the Bank in effecting the redemption of the Loan Obligation so to be redeemed, and (v) at the direction of the Bank, an amount equal to the proportionate amount of bonds so to be redeemed which were issued by the Bank with respect to the Loan Obligation and necessary to fund a portion of the reserve fund authorized by Section 6006 of the Act, less the amount of monies or investments available for withdrawal from such reserve fund and for application to the redemption of such bonds issued by the Bank in accordance with the terms and provisions of the Bond Resolution, as determined by the Bank; provided, however, that, in the event the Loan Obligation has been refunded and the refunding bonds issued by the Bank were issued in a principal amount in excess of or less than the Loan Obligation remaining unpaid at the date of issuance of such refunding bonds, the amount which the Governmental Unit shall be obligated to pay under item (i) hereof shall be the principal amount of such refunding bonds then outstanding. In the event the Loan Obligation has been refunded and the interest the Bank is

required to pay on the refunding bonds is less than the interest the Bank was required to pay on such Loan Obligation, the amount which the Governmental Unit shall be obligated to pay under item (ii) above shall be the amount of interest to accrue on such refunding bonds then outstanding.

In no event shall any such sale or redemption of Municipal Bonds be effected without the prior written agreement and consent of both parties hereto.

9. Simultaneously with the delivery to the Bank of the Municipal Bonds, which Municipal Bonds shall be in a form acceptable to the Bank, the Governmental Unit shall furnish to the Bank an opinion in a form acceptable to the Bank of bond counsel satisfactory to the Bank which shall set forth, among other things, the unqualified approval of said Municipal Bonds then being delivered to the Bank and that said Municipal Bonds will constitute valid obligations of the Governmental Unit as required by the Act.

10. The Governmental Unit shall be obligated to notify the Bank and the corporate trust office of the trustee for the bonds of the Bank in writing at least 30 days prior to each interest payment date of the name of the official of the Governmental Unit to whom invoices for the payment of interest and principal should be addressed, provided, however, that no such notice shall be required if the name of the official of the Governmental Unit has not changed.

11. The Governmental Unit and the Bank agree that the Municipal Bonds Principal Payments, the Municipal Bonds Interest Payments and the Municipal Bonds or a portion thereof may be pledged or assigned by the Bank under and pursuant to the Bond Resolution.

12. The Governmental Unit agrees upon surrender to it of the Municipal Bonds by the Bank it will, at the option of the Bank, cause there to be delivered to the Bank either registered or coupon Municipal Bonds as the case may be.

13. Prior to payment of the amount of the Loan, or any portion thereof, and the delivery of the Governmental Unit's Municipal Bonds to the Bank or its designee, the Bank shall have the right to cancel all or any part of its obligations hereunder if:

- (a) Any representation made by the Governmental Unit to the Bank in connection with application for Bank assistance shall be incorrect or incomplete in any material respect; or
- (b) The Governmental Unit has violated commitments made by it in its application and supporting documents or has violated any terms of this Loan Agreement.

14. The Governmental Unit agrees to submit to the Bank and to such other persons as directed by the Bank (including, without limitation, securities information repositories) from time to time such information relating to the Governmental Unit (including, without limitation, annual financial reports as they become available) as the Bank requests as being necessary or desirable to comply with securities laws and rules relating to the Municipal Bonds or to the bonds of the Bank. Such request may take the form of a general direction to supply certain types of information in the

event that certain types of events occur (for example, to submit information relating to material adverse changes to the financial condition of the Governmental Unit).

15. If any provision of this Loan Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Loan Agreement and this Loan Agreement shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

16. This Loan Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. Each party agrees that it will execute any and all documents or other instruments, and take such other actions as may be necessary to give effect to the terms of this Loan Agreement.

17. No waiver by either party of any term or condition of this Loan Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase, or other provision of this Loan Agreement.

18. This Loan Agreement merges and supersedes all prior negotiations, representations, and agreements between the parties hereto relating to the subject matter hereof and constitutes the entire agreement between the parties hereto in respect thereof.

19. The Governmental Unit agrees to provide such information about such Governmental Unit as the Bank shall request in connection with the preparation of the official statement of the Bank relating to the offering of the Bank's bonds with respect to the Loan, including but not limited to financial statements, litigation and the project being financed or refinanced with the proceeds of the Loan. The Governmental Unit understands and agrees that the Bank may include such information (or a part thereof) in such official statement, and the Governmental Unit agrees to execute and deliver or cause to be delivered to the Bank such certificates and opinions as the Bank shall reasonably request to confirm and verify the adequacy and accuracy of such information.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

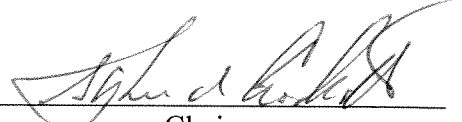
MAINE MUNICIPAL BOND BANK

(SEAL)

Attest:




By


Chairman

TOWN OF HAMPDEN

(SEAL)

Attest:



By

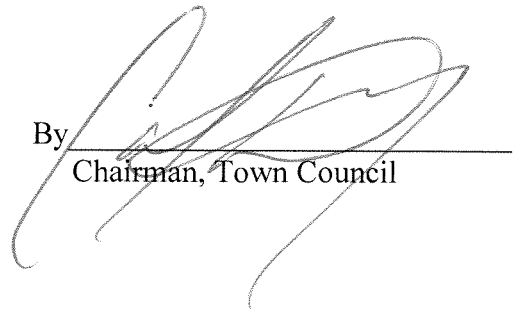

Chairman, Town Council

EXHIBIT A
TOWN OF HAMPDEN
MATURITY SCHEDULE

Governmental Unit's Bonds
Due November 1*,

Principal Amount

2015	\$	<u>45,102.50</u>
2016	\$	<u>45,102.50</u>
2017	\$	<u>45,102.50</u>
2018	\$	<u>45,102.50</u>
2019	\$	<u>45,102.50</u>
2020	\$	<u>45,102.50</u>
2021	\$	<u>45,102.50</u>
2022	\$	<u>45,102.50</u>
2023	\$	<u>45,102.50</u>
2024	\$	<u>45,102.50</u>
2025	\$	<u>45,102.50</u>
2026	\$	<u>45,102.50</u>
2027	\$	<u>45,102.50</u>
2028	\$	<u>45,102.50</u>
2029	\$	<u>45,102.50</u>
2030	\$	<u>45,102.50</u>
2031	\$	<u>45,102.50</u>
2032	\$	<u>45,102.50</u>
2033	\$	<u>45,102.50</u>
2034	\$	<u>45,102.50</u>

Total Due	\$	<u>902,050.00</u>
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* Bond payments are due 30 days prior to the November due date

UNITED STATES OF AMERICA
STATE OF MAINE
TOWN OF HAMPDEN
2014 GENERAL OBLIGATION WASTEWATER BOND

\$902,050

May 22, 2014

Town of Hampden, for value received, promises to pay to the Maine Municipal Bond Bank or registered assigns the principal sum of

NINE HUNDRED TWO THOUSAND
FIFTY DOLLARS
(\$902,050)

in principal installments, payable on November 1 of each of the following years in the amounts set forth below opposite such years, with each installment to bear interest from the date of the original delivery of this bond to the Maine Municipal Bond Bank and payment therefor until payment of such installment, at the rate per annum set forth opposite the respective year, payable on November 1 and May 1 of each year, commencing November 1, 2014.

<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>
2015	\$45,102.50	0.410%
2016	\$45,102.50	0.670%
2017	\$45,102.50	1.010%
2018	\$45,102.50	1.330%
2019	\$45,102.50	1.640%
2020	\$45,102.50	1.990%
2021	\$45,102.50	2.250%
2022	\$45,102.50	2.460%
2023	\$45,102.50	2.640%
2024	\$45,102.50	2.780%
2025	\$45,102.50	3.020%
2026	\$45,102.50	3.240%
2027	\$45,102.50	3.430%
2028	\$45,102.50	3.550%
2029	\$45,102.50	3.640%
2030	\$45,102.50	3.810%
2031	\$45,102.50	3.870%
2032	\$45,102.50	3.930%
2033	\$45,102.50	3.980%
2034	\$45,102.50	4.020%

TOTAL: \$902,050.00

{ EP - 01562779 - v1 }

Principal and interest are payable at the principal office of U.S. Bank National Association, as successor to State Street Bank and Trust Company as Trustee for the Maine Municipal Bond Bank under the General Bond Resolution of the Maine Municipal Bond Bank adopted July 11, 1973, as amended and supplemented.

This Bond is issued by the Town of Hampden by virtue of the Constitution and Laws of the State of Maine, Section 5772 of Title 30-A of the Maine Revised Statutes, as amended, pursuant to action taken by the voters of the Town of Hampden at the referendum duly called and legally held on November 5, 2013, authorizing action taken by the Hampden Town Council at a meeting duly called and held on July 15, 2013 and any other applicable authority under the laws of the State of Maine. The proceeds of the Bond are to be used substantially for various sewer projects, including the construction, reconstruction, replacement or repair of sewer lines, manholes, pump stations, appurtenances, stormwater separation facilities and other infrastructure improvements to the Town of Hampden sewer system (the "Project").

This Bond is transferable only upon presentation to the Treasurer of the Town with a written assignment fully acknowledged or proved. No transfer hereof shall be effective unless made on the books of the Town kept by the Treasurer as transfer agent and noted hereon by the Treasurer with a record of payments as provided hereon.

It is hereby certified that all acts, formalities and conditions essential to the validity hereof have been performed and complied with, and for the assignment, collection and payment of taxes to pay the same, when due, the full faith and credit of the Town are hereby irrevocably pledged.

SIGNATURE PAGE FOLLOWS

{EP - 01562779 - v1 }

IN WITNESS WHEREOF, the said Town of Hampden has caused its seal to be hereto affixed and attested by its Town Clerk and this instrument to be signed in its name and behalf by its Treasurer and countersigned by a majority at least of its Councilors, as of the 22nd day of May, 2014.

TOWN OF HAMPDEN

By:

Treasurer

Town Councilor

Town Councilor

Town Councilor

Town Councilor

Town Councilor

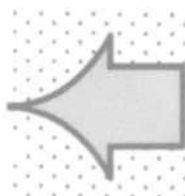
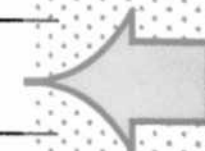
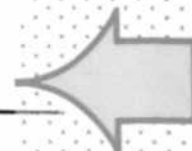
Town Councilor

Town Councilor

(SEAL)

ATTEST:

Town Clerk



SIGN
HERE

SIGN
HERE

{ EP - 01562779 - v1 }

CERTIFICATE OF REGISTRATION OF TRANSFERS

This Bond is registered in the name of the transferee noted hereon on the books of the Town kept by the Treasurer as transfer agent.

Name of Registered Owner or <u>Transferee</u>	Date of Registration <u>of Transfer</u>	Date to Which Interest <u>Paid</u>	Date Aggregate Principal <u>Paid</u>	Balance of Prin- cipal due	Signature of <u>Treasurer</u>
U.S. Bank National Association, as Trustee	5/22/2014	None Paid	None Paid	All	_____



{ EP - 01562779 - v1 }

ARBITRAGE AND USE OF PROCEEDS CERTIFICATE

I, Treasurer of the Town of Hampden (the "Unit"), HEREBY CERTIFY and reasonably expect with respect to the issuance of and the use of proceeds of the \$902,050 General Obligation Wastewater Bond of the Unit, dated May 22, 2014 (the "Municipal Bond"), as follows:

1. Authority to Issue Bonds. I am one of the officers of the Unit duly charged and responsible for issuing the Municipal Bond. This certificate is made for the purpose of representing facts and establishing the reasonable expectations of the Unit as to the amount and use of the proceeds of the Municipal Bond. It is intended and may be relied upon as a certification described in Section 1.148-2(b)(2) of the Treasury Regulations under Section 103(a) and related provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and is being executed and delivered as part of the record of proceedings in connection with the issuance of the Municipal Bond.

2. Purpose of this Certificate. This certificate sets forth the facts, estimates and circumstances now in existence which are the basis for the Unit's expectation that the proceeds of the Municipal Bond will not be used in a manner that would cause the Municipal Bond to be arbitrage bonds under the Code. To the best of my knowledge and belief, such expectation is reasonable and there are no other facts, estimates or circumstances that would materially change that expectation.

3. Description of Municipal Bonds. The dates, maturities, denominations and rates of interest of the Municipal Bond are as shown and more fully described in Schedule A attached hereto. These are the terms of the Municipal Bond based upon the loan made by the Maine Municipal Bond Bank (the "Bank") from the proceeds of its 2014 Series A Bonds dated and delivered on May 22, 2014 (the "Bank's Bonds") to the Unit.

4. Use of Proceeds. The proceeds of the Municipal Bond will be used to provide funds for the purpose of financing various sewer projects, including the construction, reconstruction, replacement or repair of sewer lines, manholes, pump stations, appurtenances, stormwater separation facilities and other infrastructure improvements to the Town of Hampden sewer system (the "Project").

In addition, proceeds from the sale of the Municipal Bond will be applied to pay the costs directly related and necessary for the issuance of the Municipal Bond.

5. Initial Temporary Period for Capital Projects.

(a) The Unit has entered into (or will enter into within 6 months from the date hereof) a binding commitment for the acquisition, construction or accomplishment of the Project, and the amount of such commitment(s) with respect to the Project exceeds \$45,103, which is an amount equal to 5 percent of \$902,050, the aggregate amount of obligations issued for the Project. It is reasonably expected that more than 85 percent of the proceeds of the sale of the Municipal Bond will be expended by May 21, 2017. Work on the acquisition, construction or accomplishment of the Project will proceed with due diligence to completion.

(b) In the unexpected event that proceeds of the Municipal Bond remain unexpended after the earlier of the date the Project is complete and May 21, 2017, the Unit will invest such unexpended amounts in obligations of a state or of any political subdivision thereof, the interest on which is excluded from gross income for purposes of federal income taxation pursuant to Section 103 of the Code and which is not a preference item for purposes of the alternative minimum tax imposed by Section 55 of the Code or invest such amounts in obligations having a yield that is not more than the yield on the Bank's Bonds as shown on Schedule D hereto. The Unit may comply with the yield restriction requirement described in the immediately preceding paragraph by making yield reduction payments in accordance with the provisions of Section 1.148-5(c) of the Treasury Regulations.

6. No Reimbursement. To the extent any amount of the proceeds of the Municipal Bond is applied to reimburse the Unit for Project costs paid prior to the date hereof, such costs were:

(a) not in excess of the lesser of \$100,000 or 5 percent of the proceeds of the Municipal Bond;

(b) paid with respect to certain "preliminary expenses", i.e., architectural, engineering, surveying, soil testing, bond issuance and similar costs, other than land acquisition, site preparation and similar costs incident to the commencement of construction, provided, however, such amounts do not exceed 20 percent of the proceeds of the Municipal Bond; or

(c) paid not more than 60 days prior to the adoption by the Unit of an official declaration of its intent to finance the Project including a general description of the Project and the maximum principal amount of obligations expected to be issued for the Project, or, if no such resolution exists, paid not more than 60 days prior to the date hereof.

To the extent that the Project includes refinancing a taxable indebtedness, the foregoing requirements will apply to Project costs paid first from the Unit's own funds and then reimbursed from the proceeds of the taxable indebtedness, to the same extent as such requirements apply to the Municipal Bond.

7. No Private Activity; Limitation on Private Use.

(a) The Project is and will be owned by the Unit and will not be leased to any person who is not a state or local government unit. Except for contracts that satisfy the safe-harbor guidelines set forth in Revenue Procedure 97-13, 1997-1 C.B. 632, the Unit will not enter into any contracts or other arrangements including without limitation, management contracts, capacity guarantee contracts, take or pay contracts or put or pay contracts, with persons who are not state or local governments pursuant to which such persons have a right to use or make use of the Project on a basis not available to members of the general public.

(b) It is not expected that the Project will be sold or otherwise disposed of in whole or in part prior to the final maturity date of the Municipal Bond.

8. No Private Loans. None of the proceeds of the Municipal Bonds were or will be used, directly or indirectly, to make loans to persons other than a state or local governmental unit. The Unit will not make any private loans from the proceeds of the Prior Obligation or the Municipal Bonds after the issue date unless the Unit has received the written opinion of bond counsel that such private loan will not adversely affect the exclusion of the interest on such bonds from gross income for purposes of federal income taxation.

9. Payment of Debt Service. The Municipal Bond will be paid from taxes or rates, charges or assessments and other revenues of the Unit. The funds used to pay principal and interest on the Municipal Bond, whether or not deposited into a debt service fund, will be expended within 13 months of the date of deposit in such fund, or the date of their accumulation, on the payment of debt service on the Municipal Bond. Any amounts received from the investment of such deposit or accumulation will be expended within one year of receipt. The debt service fund, if any, will be used to achieve a proper matching of revenues and debt service and will be depleted at least annually except for a reasonable carryover amount not to exceed the greater of the earnings on the fund for the immediately preceding bond year or 1/12 of the debt service on the Municipal Bond for the immediately preceding bond year.

10. No Other Funds Established. Except for the debt service fund described herein, if any, the Unit has not created or established, and does not expect to create or establish, any sinking fund or other similar fund which the Unit reasonably expects to use to pay principal or interest on the Municipal Bond.

11. No Other Replacement Proceeds. The Unit hereby represents that the weighted average maturity of the Municipal Bond will not exceed the average economic life of the facilities financed with the proceeds of the Municipal Bond by more than 20 percent. Thus, no "replacement proceeds" (as defined in Section 1.148-1(c) of the Regulations) are expected to be created as a result of issuing the Municipal Bond.

12. Additional Yield Restrictions. With respect to any amounts received from the condemnation, insurance, or disposition of any part of the Project or any other amounts set aside by the Unit, which are pledged to or expected to be used for the payment of debt service on the Municipal Bond, the Unit will invest such amounts in obligations of a state or of any political subdivision thereof, the interest on which is excluded from gross income for purposes of federal income taxation pursuant to Section 103 of the Code and which is not a preference item for purposes of the alternative minimum tax imposed by Section 55 of the Code or invest such amounts in market rate obligations having a yield that is not more than the yield on the Bank's Bonds (which as been determined as described above as shown on Schedule D hereto. The Unit may comply with the yield requirement described above, by making yield reduction payments in accordance with the provisions of Section 1.148-5(c) of the Treasury Regulations.

13. Yield Defined. For purposes of this certificate, yield means that percentage rate which when used in computing the present value of all payments of principal of, and interest on, the issue produces an amount equal to the issue price thereof, as defined in Sections 1273 and 1274 of the Code.

14. No Prohibited Payments. The Unit has not entered into and will not enter into any transaction to reduce the yield on the investment of the proceeds of the Municipal Bond in such a manner that the amount to be rebated to the Federal government is less than it would have been had the transaction been at arm's length and the yield on the issue not been relevant to either party.

15. Exception to Rebate. The Unit will not be liable for any rebate payments to the Federal Government because:

(a) the Unit is an entity with general taxing powers or a subordinate entity of a governmental unit or units with general taxing powers which has (or have) allocated a portion of its (or their respective) \$5,000,000 limitation(s) to the Unit (an allocation shall be taken into account for purposes of the preceding sentence only if it is irrevocable and made prior to the date hereof, and only to the extent the amount so allocated bears a reasonable relationship to the benefits received by such allocating governmental unit from the issuance of the Municipal Bond);

(b) at least 95 percent of the proceeds of the Municipal Bond are to be used for local governmental activities of the Unit;

(c) the Unit, including any agency, instrumentality or political subdivision of the Unit, or in the case of a Unit that is a subordinate entity of a governmental unit or units with general taxing power that has (or have) allocated all or a portion of its (or their) \$5,000,000 limitation to the Unit, (i) has (or have) not issued and does (or do) not expect to issue (including issuances by any and all other subordinate entities) more than \$5,000,000 in tax-exempt obligations (including the Municipal Bond) during the current calendar year, and, (ii) if such Unit has been allocated all or a portion of the \$5,000,000 limitation of a governmental unit or units with general taxing power to which it is subordinate, it has not issued and does not expect to issue more than the amount(s) so allocated. A copy of any such allocation, including a list of previously issued obligations and obligations reasonably expected to be issued during the current calendar year, is attached hereto as Schedule B; and

(d) the Municipal Bond, or any portion thereof, is not a "private activity bond" as defined in Section 141 of the Code.

16. No Overissuance. The total proceeds of the sale of all obligations issued to date for the Project do not exceed the total cost of the Project.

17. No Hedge Bonds. The Unit reasonably expects as of the date hereof that (a) at least 85% of the proceeds of the Municipal Bond will be used to carry out the governmental purposes of the issue within three years of the date hereof and (b) not more than 50% of the proceeds of the Municipal Bond will be invested in investment property which (i) will be acquired with the amounts received as a result of investing original proceeds of the issue and (ii) will have a substantially guaranteed yield of four years or more.

18. Additional Covenant. The Unit will, subject to appropriation, comply with the provisions and procedures set forth herein, except to the extent otherwise advised by the Bank, and will do and perform all acts and things necessary or desirable in order to assure that interest paid on the Municipal Bond shall, for purposes of federal income taxation, be excluded from the gross income.

19. Information Reporting. The Unit has reviewed the Internal Revenue Service *Information Return for Tax-Exempt Governmental Obligations* Form 8038-G to be filed in connection with the issuance of the Municipal Bond not later than the 15th day of the second month after the close of the calendar quarter in which the Municipal Bond was issued, a copy of which is attached hereto as Schedule C, and all of the information contained therein is, to the best of the Unit's knowledge, true and correct. The Unit will direct said Form 8038-G to be timely filed with the Internal Revenue Service.

20. No Federal Guarantee. No portion of the proceeds of the Municipal Bond will be invested, directly or indirectly, in federally insured deposits or accounts other than (a) investments of unexpended Municipal Bond proceeds for an initial temporary period until the proceeds are needed for the Project, (b) investment of a debt service fund, and (c) investments in obligations issued by the United States Treasury, or investments in obligations issued pursuant to Section 21B(d)(3) of the Federal Home Loan Bank Act, as amended by Section 511(a) of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, or any successor provision to Section 21B(d)(3) of the Federal Home Loan Bank Act as so amended. An obligation shall not be treated as federally guaranteed by reason of any guarantee by the Federal Housing Administration, the Veterans' Administration, the Federal National Mortgage Administration, the Federal Home Loan Mortgage Corporation, or the Government National Mortgage Association, or grants of the Environmental Protection Agency.

21. No Composite Issues. No other governmental obligations have been sold less than 15 days prior to, or will be sold less than 15 days after, the sale date of the Municipal Bond, pursuant to a common plan of financing which will be paid out of (or have substantially the same claim to be paid out of) substantially the same source of funds as the Municipal Bond. (Taxable bonds are not considered to be part of the same issue even if sold at the same time pursuant to a common plan of finance and secured by the same source of funds.

22. Retention of Records. The Unit covenants to maintain all records relating to the requirements of the code and the representations, certifications and covenants set forth in this Arbitrage and Use of Proceeds Certificate until the date six years after the last outstanding Bonds have been retired. If any of the Bonds are refunded by tax-exempt obligations (the "Refunding Obligations"), the Unit covenants to maintain all records required to be retained by this section until the later of the date six years after the last outstanding Bonds have been retired or the date three years after the last Refunding Obligations have been retired. The records that must be retained include, but are not limited to:

- (a) Basic records and documents relating to the Bonds (including the Loan Agreement, this Arbitrage and Use of Proceeds Certificate and the opinion of Bond Counsel);

- (b) Documentation evidencing the expenditure of Bond proceeds;
- (c) Documentation evidencing the use of the Project by public and private sources (i.e., copies of management contracts, research agreements, leases, etc.);
- (d) Documentation evidencing all sources of payment or security for the Bonds; and
- (e) Documentation pertaining to any investment of Bond proceeds (including the purchase and sale of securities, SLGS subscriptions, yield calculations for each class of investments, actual investment income received from the investment of proceeds, guaranteed investment contracts, and rebate calculations).

23. Post-Issuance Compliance. The Unit has implemented or will implement a program, including appropriate instruction and education of personnel, whereby the use of the bond-financed assets is monitored for purposes of establishing compliance with the use limitations described in Section 7 above.

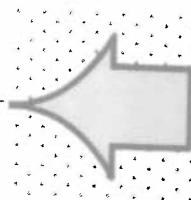
24. Conclusion. On the basis of the foregoing, it is not expected that the proceeds of the sale of the Municipal Bond will be used in a manner that would cause such bonds to be “arbitrage bonds” or “private activity bonds” under Section 148 or 141, respectively, of the Code and the Treasury Regulations prescribed thereunder. To the best of my knowledge and belief, there are no other facts, estimates or circumstances that would materially change the foregoing conclusion.

[Signature page follows]

IN WITNESS WHEREOF, we have hereunto set our hand on this 22nd day of
May, 2014.

Name: Susan Lessard

Title: Treasurer



**SIGN
HERE**

SCHEDULE A

DATES, MATURITIES, DENOMINATIONS AND RATES
OF INTEREST OF THE MUNICIPAL BOND

<u>Date</u>	<u>Principal</u>	<u>Interest Rate</u>
2015	\$45,102.50	0.410%
2016	\$45,102.50	0.670%
2017	\$45,102.50	1.010%
2018	\$45,102.50	1.330%
2019	\$45,102.50	1.640%
2020	\$45,102.50	1.990%
2021	\$45,102.50	2.250%
2022	\$45,102.50	2.460%
2023	\$45,102.50	2.640%
2024	\$45,102.50	2.780%
2025	\$45,102.50	3.020%
2026	\$45,102.50	3.240%
2027	\$45,102.50	3.430%
2028	\$45,102.50	3.550%
2029	\$45,102.50	3.640%
2030	\$45,102.50	3.810%
2031	\$45,102.50	3.870%
2032	\$45,102.50	3.930%
2033	\$45,102.50	3.980%
2034	\$45,102.50	4.020%

TOTAL: \$902,050.00

SCHEDULE B

OTHER GOVERNMENTAL BOND ISSUES
AND/OR ALLOCATION CERTIFICATION

[if needed]

SCHEDULE C

FORM 8038-G

SCHEDULE D

YIELD ON BANK'S BONDS

3.208784%

Information Return for Tax-Exempt Governmental Obligations

► Under Internal Revenue Code section 149(e)

► See separate instructions.

Caution: If the issue price is under \$100,000, use Form 8038-GC.

OMB No. 1545-0720

Part I Reporting Authority

If Amended Return, check here ☐

1 Issuer's name Town of Hampden		2 Issuer's employer identification number (EIN) 01-6000190
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions) Daniel S. Pittman		3b Telephone number of other person shown on 3a 207-947-0111
4 Number and street (or P.O. box if mail is not delivered to street address) 106 Western Avenue	Room/suite	5 Report number (For IRS Use Only) 3
6 City, town, or post office, state, and ZIP code Hampden, ME 04444		7 Date of issue 05-22-2014
8 Name of issue 2014 General Obligation Wastewater Bond		9 CUSIP number
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information (see instructions) Daniel S. Pittman, Esq.		10b Telephone number of officer or other employee shown on 10a 207-947-0111

Part II Type of Issue (enter the issue price). See the instructions and attach schedule.

11 Education	11	
12 Health and hospital	12	
13 Transportation	13	
14 Public safety	14	
15 Environment (including sewage bonds)	15	902,050
16 Housing	16	
17 Utilities	17	
18 Other. Describe ►	18	
19 If obligations are TANs or RANs, check only box 19a	►	<input type="checkbox"/>
If obligations are BANs, check only box 19b	►	<input type="checkbox"/>
20 If obligations are in the form of a lease or installment sale, check box	►	<input type="checkbox"/>

Part III Description of Obligations. Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	11/01/34	\$ 902,050	\$ 902,050	11.5 years	3.208784 %

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22 Proceeds used for accrued interest	22	
23 Issue price of entire issue (enter amount from line 21, column (b))	23	902,050
24 Proceeds used for bond issuance costs (including underwriters' discount)	24	
25 Proceeds used for credit enhancement	25	
26 Proceeds allocated to reasonably required reserve or replacement fund	26	
27 Proceeds used to currently refund prior issues	27	
28 Proceeds used to advance refund prior issues	28	
29 Total (add lines 24 through 28)	29	-0-
30 Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)	30	902,050

Part V Description of Refunded Bonds. Complete this part only for refunding bonds.

31 Enter the remaining weighted average maturity of the bonds to be currently refunded	►	years
32 Enter the remaining weighted average maturity of the bonds to be advance refunded	►	years
33 Enter the last date on which the refunded bonds will be called (MM/DD/YYYY)	►	
34 Enter the date(s) the refunded bonds were issued (MM/DD/YYYY)	►	

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 63773S

Form **8038-G** (Rev. 9-2011)

Part VI Miscellaneous

- 35** Enter the amount of the state volume cap allocated to the issue under section 141(b)(5) **35**
- 36a** Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC) (see instructions) **36a**
- b** Enter the final maturity date of the GIC ▶ _____
- c** Enter the name of the GIC provider ▶ _____
- 37** Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units **37**
- 38a** If this issue is a loan made from the proceeds of another tax-exempt issue, check box ☒ and enter the following information:
- b** Enter the date of the master pool obligation ▶ 05/23/2013
- c** Enter the EIN of the issuer of the master pool obligation ▶ 01-0319072
- d** Enter the name of the issuer of the master pool obligation ▶ Maine Municipal Bond Bank
- 39** If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box ☐
- 40** If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box ☐
- 41a** If the issuer has identified a hedge, check here ☐ and enter the following information:
- b** Name of hedge provider ▶ _____
- c** Type of hedge ▶ _____
- d** Term of hedge ▶ _____
- 42** If the issuer has superintegrated the hedge, check box ☐
- 43** If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box ☒
- 44** If the issuer has established written procedures to monitor the requirements of section 148, check box ☒
- 45a** If some portion of the proceeds was used to reimburse expenditures, check here ☐ and enter the amount of reimbursement ▶ _____
- b** Enter the date the official intent was adopted ▶ _____

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as needed, to process this return, to the person that I have authorized above.

Signature of issuer's authorized representative _____ Date _____ **Susan Lessard, Treasurer**
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name Daniel S. Pittman	Preparer's signature _____	Date _____	Check <input type="checkbox"/> if self-employed	PTIN P01605131
Firm's name ▶ Eaton Peabody		Firm's EIN ▶ 01-0373027		
Firm's address ▶ P.O. Box 1210, Bangor, ME 04402-1210		Phone no. 207-947-0111		

**UNITED STATES OF AMERICA
STATE OF MAINE
TOWN OF HAMPDEN
2014 \$902,050 GENERAL OBLIGATION WASTEWATER BOND**

CERTIFICATE OF INDEBTEDNESS

AS OF

May 22, 2014

I hereby certify that as of this date the Town of Hampden has no outstanding indebtedness, except as listed below:

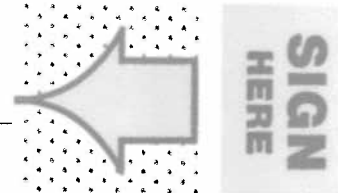
<u>Dated</u>	<u>Original Principal Amount</u>	<u>Principal Outstanding</u>	<u>Rate</u>	<u>Final Maturity</u>	<u>Creditor</u>
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I further certify that the Town of Hampden has no debt limit other than that imposed by statute.

I further certify that as of May 22, 2014, the valuation of the Town of Hampden, Maine, as determined by the State Tax Assessor in accordance with Section 305 of Title 36, M.R.S.A., is as follows: \$_____.

Dated: May 22, 2014
(SEAL)

Treasurer



TOWN OF HAMPDEN, MAINE
2014 GENERAL OBLIGATION WASTEWATER BOND
PRINCIPAL AMOUNT \$902,050

**CERTIFICATE OF CLERK REGARDING ORGANIZATION, AUTHORIZATION,
INCUMBENCY, SIGNATURES, LITIGATION AND OTHER MATTERS**

MAY 22, 2014

Denise R. Hodsdon, duly appointed and qualified Clerk of the Town of Hampden, Maine (the “Town”), certifies as follows with respect to the issuance and sale of the above-referenced General Obligation Wastewater Bond (the “Bond”) to the Maine Municipal Bond Bank.

1. The Town of Hampden was incorporated by Chapter XXI in 1794 by an act of the Massachusetts legislature. The Town adopted a Charter on January 17, 1972. A copy of this charter, as amended, is attached as Exhibit A.

2. A copy of the Ordinance passed at the Town Council meeting held on July 15, 2013 at which the borrowing of not more than \$902,050 for the Project was approved is attached as Exhibit B.

3. A true copy of the Warrant for Municipal Election with Return of Service and the official voting results of the Referendum held on November 5, 2013 at which an article was passed for an ordinance authorizing the borrowing of not more than \$902,050 to finance various sewer projects, including the construction, reconstruction, replacement or repair of sewer lines, manholes, pump stations, appurtenances, stormwater separation facilities and other infrastructure improvements to the Town of Hampden sewer system (the Project”) is attached as Exhibit C.

4. A true copy of the published notice of the public hearing with respect to the said bond authorization, which notice was published in the Bangor Daily News, a newspaper of general

circulation in the Hampden area, not less than seven (7) days prior to the date of the hearing described therein, is attached as Exhibit D.

5. The borrowings anticipated hereby will not cause the total debt of the Town to exceed statutorily imposed limitations on municipal debt, including those set out in 30-A M.R.S.A. 5702 and 5703. The Town is not subject, by law or by contract, to any other limitations on its public debt.

6. The Town has not entered into any agreement to share its assessed valuation with any other municipality pursuant to Chapter 223, subchapter V of Title 30-A of the Maine Revised Statutes, as amended, and no such agreement is presently contemplated.

7. No bond or bonds of the Town are issued and outstanding pursuant to the authorizations described above.

8. No petition or other proceeding seeking a recount or review of the actions approving the Bonds described above has been filed or initiated and no resolve, order or proceedings central to the issue or sale of the Bonds has been repealed or amended or is currently being challenged or reconsidered. No proceedings relating thereto have been taken other than those of which certified copies have been delivered to Eaton Peabody.

9. There is no litigation, action, suit or proceeding or, to my knowledge after diligent inquiry, circumstance or inquiry or investigation at law or in equity before or by any public board or threatened against or affecting the Town or its property or any basis therefore, to restrain or enjoin the execution, issuance or delivery of the said Bonds or the levy or collection of the taxes pledged therefor to pay the interest on, or the principal of the said Bonds, or in any manner questioning the authority or proceedings for the execution, issuance and delivery of the said Bonds or for the collection of said taxes or relating to the said Bonds or affecting the

validity thereof or the collection of said taxes, or wherein an unfavorable decision, ruling or finding would adversely affect the execution, issuance and delivery of the Bonds or the validity or the enforceability thereof, the financial condition of the Town or its ability to make payment of principal and interest on the Bonds as and when due. Neither the corporate existence nor the boundaries of the Town, nor the title of any of its respective officers is being contested.

10. The execution and delivery of the Bonds and the performance of the obligations of the Town thereunder do not and will not violate or constitute a default under any order of any court or government agency, and do not and will not violate or constitute a default under any agreement, indenture, mortgage, lease or any other obligation or instrument to which the Town is bound, and approval or other action by any governmental authority or agency is required in connection therewith.

11. The Bonds have been duly executed by the Town's Treasurer on behalf of the issuer, and countersigned by a majority of its municipal officers under the seal of the Town, attested by its Clerk and have been awarded and delivered to the Maine Municipal Bond Bank.

12. The persons set out below are the duly elected or appointed and qualified incumbent officials holding the offices set out next to their respective names. The Clerk has on file a document containing genuine examples of their signatures:

Name	Term Expiration
Ivan P. McPike, Councilor	12/13/2014
Thomas B. Brann, Councilor	12/13/2014
Jean H. Lawlis, Councilor	12/13/2014
David I. Ryder, Councilor	12/13/2014
Carol S. Duprey, Councilor	12/13/2015
William W. Shakespeare, Councilor	12/31/2015
Gregory J. Sirois, Councilor	12/31/2015
Susan M. Lessard, Town Man./Treasurer	Appointed
Denise R. Hodsdon, Town Clerk	Appointed

WITNESS my hand and the seal of the Town as of 22nd day of May, 2014.

[SEAL]

Denise R. Hodsden, Clerk



The Town of Hampden hereby ordains that the following amendments to the Town Charter be enacted:

Deletions ~~stricken~~

Additions underlined

Sec. 1003 Charter Amendment or Revision

~~(1) Proposal of Amendment or Revision.~~ Amendments or revisions to this charter may be ~~framed and proposed;~~ initiated by the town council or by petition of the voters of the town in accordance with the applicable requirements and procedures set forth in Title 30-A M.R.S. Sections 2101 through 2105, as may be amended or replaced from time to time.

~~(a) In the manner provided by state law, or~~

~~(b) By ordinance of the town council containing the full text of the proposed amendment and effective upon adoption, or~~

~~(c) By the registered voters of the town, or~~

~~(d) By report of a charter commission created by ordinance.~~

~~Proposal of an amendment by the registered voters of the town shall be by petition containing the full text of the proposed amendment and shall be governed by the same procedures and requirements prescribed in Article IX for initiative petitions until such time as a final determination as to the sufficiency of the petitions is made. The petition must be signed by registered voters of the town equal in number to at least 10% of the total number of registered voters.~~

~~(2) Election.~~ Upon passage of an ordinance, or upon receipt of a petition finally determined sufficient, or upon receipt of the report of a charter commission, proposing an amendment pursuant to subsection I, the town council shall submit the proposed amendment to the voters of the town at an election. Such election shall be announced by a public notice that will include a brief summary of the change(s) and location(s) where the complete text is available for inspection by the general public and shall be published in one or more newspapers of general circulation in the town at least 30 days prior to the date of the election. The election shall be held at the next regular municipal election. *(Amended: November 2, 2004)*

~~(3) Adoption of Amendment.~~ If a majority of the qualified voters of the town voting upon a proposed charter amendment vote in favor of it, the amendment shall

~~become effective at the time fixed in the amendment or, if no time is therein fixed, 30 days after its adoption by the voters.~~

- ~~(4)~~ (2) The town council is hereby authorized to correct typographical errors and misspelled words within the text of the charter for the purpose of accuracy in its phraseology except that there shall be no additions to or deletions from the subject matter of the charter other than by ordinance as prescribed by Section 212. *(Amended: December 5, 1977)*

Effective Date: These Charter Amendments shall take effect upon adoption by the voters.

Summary: In 1969, the Constitution of Maine was amended to add Article VIII, Part Second, Section 1, which granted municipalities home rule authority to alter or amend their charters. Section 1 also provided that the State Legislature shall prescribe the procedure by which the municipalities may so act. Some of the existing provisions of Section 1003 of the Town Charter are inconsistent with the procedure prescribed by the Legislature in Title 30-A M.R.S. Sections 2101 through 2105. The purpose of these proposed amendments is to bring the Town Charter into conformity with the provisions prescribed by the Legislature.

DRAFT

E-3-d

FINANCE & ADMINISTRATION COMMITTEE MEETING

Tuesday, April 22, 2014

Attending:

Mayor Carol Duprey
Councilor Ivan McPike
Councilor William Shakespeare
Councilor Tom Brann

Councilor Greg Sirois
Councilor David Ryder
Town Manager Susan Lessard
Residents

The meeting was opened at 6:04 p.m. by Mayor Duprey.

1. Meeting Minutes

- a. April 7, 2014 – The minutes of the April 7, 2014 meeting were reviewed and approved with no corrections or changes.

2. Review & Sign Warrants – The Committee reviewed and signed the warrants for payment of bills.

3. Old Business

- a. Bangor Humane Society Contract 2014-2015 – This item was postponed until the next meeting for additional information.
- * b. Codification of Charter & Ordinances – The Town Manager presented information on what is involved with the codification process for all the Town ordinances. It includes not only the organization of all ordinances into one code; it also includes a review of the ordinances for consistency in definition and practice between ordinances and for consistency with State Statutes. It is a lengthy process and could take from 6-9 months. The estimated cost from General Code is \$14,900 with annual costs of \$1195 for maintenance of an electronic on-line code as well as \$2-\$3,000 for updating the code to include any new ordinances passed or amendments to existing ordinances. A funding source for initial codification was identified as four long-unused reserve accounts related to Planning and Town record preservation. There was considerable discussion about the necessity of doing this as well as concern over the ongoing annual cost. Resident Terry McAvoy objected to the project and indicated that the Town attorney and staff should make sure that ordinances and state law are consistent. Motion by Councilor Brann, seconded by Councilor Shakespeare to recommend to the full council to move forward with the codification process and to fund the project from the reserve accounts identified. Unanimous vote in favor.
- c. Legal Issues re Charter & Citizens Petitions – The Town Manager presented a proposed schedule for review of the Town Charter at Finance & Administration Committee meetings from May through August with any proposed changes then being converted to ordinance so that as many noncompliant or out of date provisions as possible could be addressed at the November 2014 election. Also recommended was that the Finance & Administration Committee move

forward to the Council consideration of an ordinance to correct the charter items related to charter amendments and citizen petitions that have already been identified as noncompliant. Motion by Councilor Brann, seconded by Councilor McPike to recommend to the full council to move forward with a charter amendment ordinance to address the items already identified as noncompliant with State law regarding citizen petitions and charter amendments. Unanimous vote in favor. The consensus of the committee was to do the charter review as outlined in the memo from the Town Manager.

4. New Business - None
5. Public Comment - None
6. Committee Member Comments – None

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

TO: Hampden Town Council
FROM: Sue Lessard, Town Manager
DATE: April 22, 2014
RE: Codification of Ordinances

The purpose of this memo is to discuss codification of the Town's ordinances. As discussed in a previous meeting, the Town Charter, which was adopted in 1972, contains a requirement for the codification of Town ordinances. That provision of the charter has never been done.

The packet contained information on why a community would choose to codify its ordinances.

In following up with a vendor, General Code, which provides codification services for many communities in Maine, I received the following information regarding services that they provide.

A full codification of all of the ordinances for the Town of Hampden includes a review for conflicts and inconsistencies between ordinances as well as for conflicts and inconsistencies with state law. This review is documented in a workbook for the Town which the Town then reviews and makes changes to affected ordinances. After any changes are made, the company produces a code book of all the ordinances as well as an electronic version which can be accessed from the Town's website. According to the person with whom I spoke at General Code, the cost for this review and codification would be \$14,900

Following codification, there is an annual \$1,195 charge for maintenance of the electronic version of the code as well as a supplementation charge for updating the code with any new ordinances or changes to ordinances that have been made in the prior year. For a total of 10 ordinance changes or adoptions in a year the supplementation fee would be approximately an additional \$2,000-\$3,000.

Funding for the initial codification of the ordinances could be done from the following inactive reserve funds:

719	Town Records Restoration	\$	5,182.26
721	Planning Board Development	\$	3,152.82
723	Planning Board reserve	\$	2,459.40
725	Planning and Commissions	\$	5,186.69
	Total	\$	15,981.17

The additional \$3,200 to \$4,200 per year would be budgeted as part of the Town Council budget. If the decision to not pay for internet moves forward, there would be sufficient funds from that former budget item to cover the cost.

Why the Town of Hampden, ME should do a codification of the towns ordinances with General Code:

- **All of the legislation is one place.** Instead of having legislation scattered around in multiple books, filing cabinets and boxes—all of the laws are in one place.
- **All of the legislation is formatted and numbered properly.** The Code will be set up in an easy to use format and style developed in accordance with a manual developed over 50 years. The format is clear, concise and easy to read—designed with the laymen in mind. Access to information will be easier and amending legislation in the future will be a simpler and more efficient process because of the consistency imposed by following the style manual.
- **All of the legislation is up to date.** During the process of codifying your laws – an editor can review the legislation to ensure that the laws are completely up to date—free of conflicts, inconsistencies and duplications.
- **All of the legislation is cross referenced and indexed.** The Code will be cross referenced and indexed so that information can be easily located within the Code chapters
- **All of the legislation is available electronically.** Technology has greatly improved the way local governments store, maintain and access documents. Today your Code is much more than a book – it's actually a fully searchable electronic version of your Code so that everyone has instant access to the most current information. You can easily make your Code available to citizens 24 hours a day by putting it on the Internet.
- **Respond quickly and accurately to questions.** A Code is an easily accessed resource for appointed officials and community personnel, enabling them to find the information they need to answer questions from both citizens and other municipal officials in a professional and efficient manner. All officials have the same information –which is a good reflection on the local government.
- **Enforce laws with confidence and consistency.** A Code is a practical and efficient tool that your courts, police and other enforcement officials can rely on for accurate and timely information. By codifying your laws --- it is easier to cite chapters and sections of the Code.
- **Update your laws and plan for future growth and development.** A Code provides a clear view of existing situations and makes it easier to determine the impact of proposed changes and amendments. The Code is an accurate depiction of how your local government operates.
- **Fulfill a community obligation to make the laws available to everyone.** It is the duty of every municipality to maintain its laws in a comprehensive, up-to-date and understandable form in a location that the average citizen can find and use. Freedom of Information requests for your laws can be handled more efficiently.

- **Minimize the risk of legal action.** Having the laws of the community codified minimizes the risk of legal action against the community. Because the laws are documented and substantiated during the process – the risk of having out of date and obsolete provisions in the Code is reduced.
- **Transition from one administration to another.** A code enables new officials and employees to have immediate access to the same information their predecessors had—which eases the process of transitioning from one government to another.

About General Code

- **General Code currently works with over 15 towns** in the State of Maine.
- **Experience:** In business for over 50 years. During that time GC has published more than 2500 codes around the country. We know local government.
- **Editorial Staff:** Knowledgeable and experienced staff of attorneys, editors and indexers –many with over 20 years in the business.
- **Customer Service:** Dedicated team of Customer service professionals who work with you before, during and after the Code is published. Our customer satisfaction is tops in the industry and our goal is to always exceed the client's expectations.
- **Regional Representatives:** Regional Representatives in your area who are available to meet with you to discuss your specific needs and to tell you about General Code's products and services.
- **Account Managers:** Team of Account Managers who are keenly aware of the needs of the clients.
- **Sample Law Service:** Clients can contact us for laws that have been enacted by other communities around the country. Although not necessarily a panacea –it does provide the community with a starting point and a look at how others have addressed a particular problem.
- **Web Site:** GC's website provides a wealth of information to anyone interested in Codification or related services with links to associations around the country.
- **eCode360 Library:** On line library of over 1500 Code books—making it easy for our clients to

Return to eCode360 Library Index

PROPOSAL *for* CODIFICATION SERVICES



Prepared for:

**Town of Hampden
Penobscot County
Maine**

April 22, 2014

Valid for 6 months

Patrick Smith

Codification Account Manager

(855) GEN CODE

Email: psmith@generalcode.com

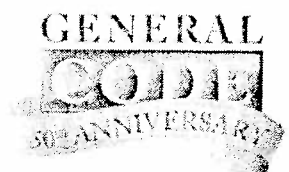


Table of Contents

Executive Summary	2
Why General Code?	3
Experience	3
Customer Service Orientation	3
Professional and Experienced Staff	3
Client Experience	4
Customer Satisfaction	4
The Code of Engagement.....	5
Situation Analysis	6
Source Materials.....	6
Recommended Solution	7
Services Included	7
The General Code Codification Process	8
eCode360	11
Performance and Payment Schedule.....	15
Investment Detail and Options.....	16
Appendix	17
The Code Solution	18
Formatting and Style	19
Sample Page	21
Future Supplementation Services	22
The General Code Codification Process At-a-Glance	24
Maine Code Customers.....	25
Authorization and Agreement.....	26

Executive Summary



Serving the needs of communities for over 50 years, General Code provides codification and enterprise content management solutions to more than 3,000 municipal governments throughout the United States and Canada. Our staff has developed, implemented and maintained codification projects for a wide variety of local governments, ranging from small townships and villages to major cities and counties.

Situation Analysis

The Town of Hampden is located in Penobscot County in Maine and was incorporated in 1794. Today the Town is home to more than 7,200 residents.

The ordinances of the Town have never been codified. Presently, the Town is requesting proposals for codification of the legislation of the Town. The scope of services is the incorporation of all legislation of a general and permanent nature into the new Code and is to include research; an editorial and legal analysis to identify conflicts, inconsistencies and other problem areas in need of updating or correction; the incorporation of any necessary revisions; the creation of an index; the preparation of Code adoption materials and a disposition list to document the final disposition of all Code-relevant legislation; and the printing of 10 copies of the Code. The Town is also interested in a fully searchable online version of the Code.

For more detail, see the full Situation Analysis on page 6.

General Code Solution

The Town of Hampden's objectives will be met and goals achieved through our proposed Codification Solution, which includes:

- An Editorial and Legal Analysis and codification of existing materials
- Standard eCode360® online code
- Custom printed Code books, with an option for additional printed books

Investment Summary

The cost of General Code's recommended solution will be \$14,900.

A detailed breakdown of the investment and available options can be found on page 16.

Accepting This Proposal

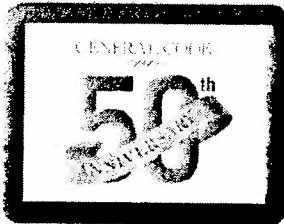
This document serves both as a proposal and as an agreement. To accept this proposal, complete the form on the last page, including authorized signatures. Fax the completed form to General Code at (585) 328-8189, or return it by mail to General Code, 781 Elmgrove Road, Rochester, NY 14624.

Why General Code?

Welcome to Civility.

As a values-based company, we adhere to the principles outlined in our Code of Engagement. We are committed to providing a higher standard of customer service, and believe that how we work with our clients is just as important as how we work amongst ourselves.

General Code brings civility to codification, by learning from over 50 years of experience and the constantly changing concerns and needs of our 3,000 customers, including 26 in Maine. We civilize your experience by listening to you and focusing our efforts on meeting your objectives. Our editorial and technical professionals will offer you options, designed to meet your particular needs so that your Code can be constructed and used accordingly. This collaboration will enhance the long-term viability of your legislation and will allow you a level of customization that you will find invaluable.



Experience

Over 3,000 clients in 39 states in the United States and Canada

Serving local governments since 1962 — over 50 years of broad experience in all aspects of municipal codification

Unparalleled reputation for quality and service

Leader in providing technical and innovative codification solutions



Customer Service Orientation

Highest customer satisfaction ratings

Experienced Account Managers

Quick responses to questions and commitment to person-to-person interaction

Training and support on an ongoing basis

Flexible billing plans tailored to meet the specific needs of each client



Professional and Experienced Staff

Your Project Team will include members of our professional staff of over 100 employees, including attorneys, editors, and other codification specialists, producing over 100 new Code projects and over 2,000 supplements annually

Team approach, to ensure availability of required personnel and resources until work is complete, as well as consistency and accessibility

Full-time attorney editors, with extensive experience in both new Code projects, as well as supplementation of existing Codes, in numerous states

Full-time Code editors, with experience in codification averaging over 15 years

Specially trained data entry, proofreading, indexing and research staff



Client Experience

User-friendly Code format and organizational system

Fast, reliable, accurate supplementation

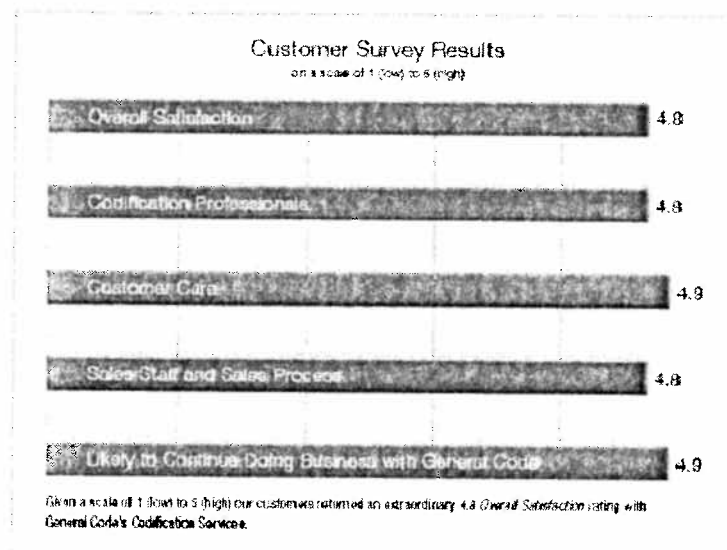
Creative solutions for specific needs

Ezsupp@generalcode.com for new legislation

Free sample legislation service for clients

Customer Satisfaction

These survey results demonstrate the way our customers recognize and appreciate our passion for excellence and customer focus.



The Code of Engagement

Our Pledge to You

Our Code of Engagement is General Code's pledge to achieve a high standard, cultivate a long-term working relationship, and earn the status of being your trusted partner.

General Code is a values-based company. As such, our Code of Engagement is the set of principles guiding the way we conduct ourselves. It encompasses how we interact with our co-workers and our community, the way we treat you, the way we communicate with you, and the fact that you are not just our customer, you are our partner. Our Code of Engagement is founded on a set of seven values.

Honesty and Integrity

Every interaction will confirm that you are working with an ethical, conscientious, and trustworthy partner.

Delighting the Customer

We will anticipate, and often surpass, your expectations. We will be proactive and responsive to your needs.

Efficiency

You will receive high-quality products and services in the shortest possible time frame. These solutions will save you time and ease your workload.

Innovation and Creativity

We will stay in front of your ever-changing needs. Visionary thinking, resourcefulness, and technology leadership will make this possible.

Personal Responsibility

Every General Code employee will meet and exceed your expected level of product quality and service excellence.

Caring and Concern

You will receive service that is personable, warm, and reliable—an attentive relationship you can trust.

Teamwork

Across departments and at every level of our company, we will collaborate with each other and with you to meet your needs.

Situation Analysis

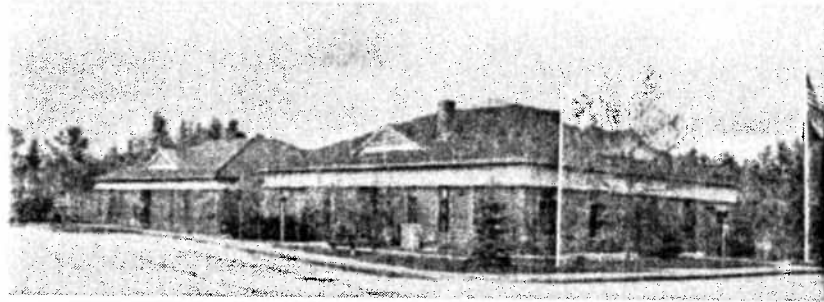
General Code Service

Regarding the service that we get from General Code, in a word - amazing. We have yet to encounter a problem that your team has not been able to solve with grace! Thank you for keeping us on track even when we are delayed by the issues that seem to always get in the way.

- Susan Kramarsky,

Town Clerk/Receiver of Taxes

Town of Brighton, NY



The Town of Hampden is located in Penobscot County in Maine and was incorporated in 1794. Today the Town is home to more than 7,200 residents.

Source Materials

General Code will use the following source materials for the codification project:

A copy of the Town's uncoded legislation adopted from 1972 through April 18, 2014, as downloaded from the Town's website on April 18, 2014

This proposal only takes into account legislation submitted for review, which will be included within the scope of this project. General Code requests that the Town set up a process during the project to routinely send any new legislation upon adoption. These additional materials will be included in the Code up to the point where the editorial work has been completed and shall be subject to an additional charge at the end of the project.

Recommended Solution

General Code will provide the Town of Hampden with professional codification services and solutions designed to meet the specific needs of your community, based on your requirements and over 50 years of experience working with local governments. We will provide you with a variety of options for publishing the Code of the Town of Hampden, including posting on the Internet and traditional print formats.

Services Included

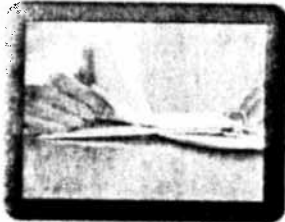
eCode360



General Code's eCode360 with MultiView Technology makes the complete current text of your Code available online in an easily used and navigated format that is fully searchable.

For more detail, see the full eCode360 description on page 11.

Publication of New Code Volumes



The base price includes the publication of 10 new Code volumes in high-quality, custom-imprinted post binders. The Code pages will be designed in an 8 ½-by-11-inch page size, using an 11-point Times New Roman font in a single-column format on 100% recycled paper. You may choose blue, dark red, green, brown, black or gray binders, with white, silver or gold silk-screen lettering. The Town Seal can also be embossed on the front and spine if you wish. Each Code will also include a set of tab dividers for individual customization. Each copy of the Code will be serial-numbered, and we will provide forms for you to keep track of the distribution of the Codes.

Comprehensive Index

General Code will prepare and publish a comprehensive Index for the Code. The Index is specifically designed to be easy to use, so that the information in the Code can be quickly located.

Code Adoption Legislation

The editor assigned to your codification project will prepare adoption legislation for the proposed Code. This material will be furnished to the Town Attorney for review and enactment by the governing body. If the Code adoption legislation is enacted and returned to us within 90 days of submission, we will include this material in the Code free of charge. Once the Code is adopted, it can be amended directly to change, add or delete material.

Disposition List

The Disposition List sets forth, in chronological order, the subject matter, date of adoption and disposition of each item of new legislation reviewed with the project and indicates its inclusion in or omission from the Code. The Disposition List is designed to assist you in locating not only legislation that is included in the Code but also legislation that is not included.

The General Code Codification Process

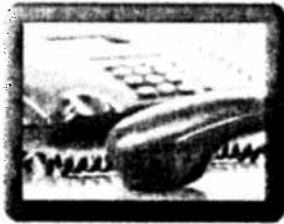
We see you as a partner in the codification process.

General Code's unique and easily accessible style is readily discernible. Your legislation is organized into a systematized, clean format, designed to provide you and your community with an easily readable, simple to reference, and logically indexed Code.

Including You in the Process

The unique project workflow that General Code has developed engages the Town with a Code editor at key stages throughout the process. Our Code editors bring a breadth of knowledge and expertise acquired over the half century we've invested in working with local governments. Combining our experience with your involvement ensures that your Code will accurately reflect your community's particular needs and requirements for a reliable resource tool.

Process Outline

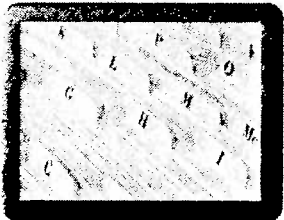


Beginning a Code Project

To begin the project, the Town of Hampden has provided the source materials for the new Code. For more detail, see the source materials listed on page 6.

Preliminary Telephone Conference

At the beginning of the project, General Code will consult with the Town's designated contact person to review the project generally and to clarify any initial questions for both General Code and the Town.



Organizational Analysis

The first part of the analysis of the Town's legislation will be the preparation of an Organizational Analysis for the Town to review. The editor will prepare a proposed Table of Contents of the Code and a listing of legislation reviewed, along with any missing material and adoption dates, and any other questions pertaining to the completeness of materials being reviewed.

The Town will review the Organizational Analysis and make whatever changes it feels are necessary. An editor will incorporate the feedback they receive into the project and move forward to the preparation of the Manuscript and the Editorial and Legal Analysis.

Manuscript

As applicable, a Manuscript will be prepared using the materials obtained from the Town. The Manuscript organizes your legislation into a logical system, arranged alphabetically by subject matter, into chapters. Amendments will be incorporated into the Manuscript, and repealed or superseded material will be noted. The Manuscript will show exactly the legislation that is currently in effect.



Editorial and Legal Analysis

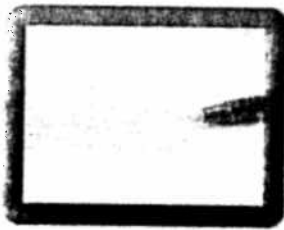
For the second part of the analysis of the Town's legislation, an Editorial and Legal Analysis will be prepared for your review. Our staff of editors and attorneys is in contact with hundreds of communities. They will provide you with the benefit of their experience and with information that you can use to determine how your legislation can be revised and improved. The project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be compiled into a workbook, with an easy-to-use checklist format, for the use of Town officials, including the Attorney, who will have the final decision-making authority for the resolution of any and all issues.

The Editorial and Legal Analysis will include the following:

- Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
- Identification of duplications, conflicts and inconsistencies with Maine statutes
- Any practical recommendations to make your legislation more enforceable
- Suggestions regarding fines, fees and penalties
- Suggestions on ways to modernize your legislation

The Town will review the Editorial and Legal Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Town officials and the Town Attorney.

A review period is set by the performance schedule. We stress the importance of staying within the allotted time period to avoid disruptions in the production process and delays in the delivery of the Code.



Final Editing of the Manuscript

Once the Editorial and Legal Analysis is returned, an editor will begin the final editing process. During the editing process, we will:

- Prepare a Table of Contents listing all chapters and articles included in the Code
- Include cross-references and Editor's Notes, as required, and add historical notations indicating the source and date of adoption of each enactment
- Edit the text to incorporate any revisions and additions previously approved in the Editorial and Legal Analysis phase
- Copyread to correct typographical and spelling errors

During this process, General Code will also prepare a comprehensive index. We will also prepare the proposed Code adoption legislation and/or any other necessary information to establish the Code as an official document. This material will be furnished to the Town Attorney for review and enactment by the governing body.

Draft

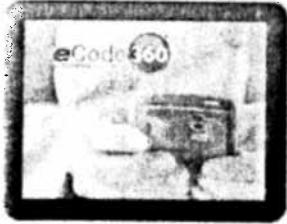
General Code will submit a Draft of the Code for final review by the Town. Any specific questions that arise during the editing process shall be submitted with the Guidelines for Draft Review. Such questions may include missing wording or incomplete information, conflicts with incorporating new ordinances, and inconsistencies within chapter provisions. Minor changes in content as a result of the Town's review may be made. Any substantial changes in organization or content shall be subject to additional charges.



Code Delivery; Recordkeeping; Supplement Distribution

After the Code is delivered, we will review the project with the Town to ensure that everything meets your expectations. At that time, we will work with you to set up an effective recordkeeping system to keep track of the distribution, sale and maintenance of Codes and supplements.

eCode360



General Code's **eCode360®** with MultiView Technology is our all-new electronic Code, providing a choice of on-screen viewing options on any computer platform and, for the first time, automatically customizing the Code for optimal viewing on any computer or mobile device, including smartphones, tablets, and eReaders. Engineered for speed and designed for easy searching and navigation, *eCode360* will provide unprecedented flexibility and access to the Code in the office, at home or on the go.

General Code's *eCode360* is a secure, reliable, and virtually maintenance-free product containing the complete current text of the Town's Code online. Hosted and maintained by General Code, *eCode360* will enable anyone to view and search the Code wherever there is access to the Internet. Access to the Code is as simple as adding a link on your website or General Code's website, enabling users to click and review the Code at any time.

Standard eCode360 includes the following features:

Easy and Flexible Searching: Use key words or phrases, section numbers and more

Pre-Supplementation Posting: Post legislation not yet codified in between supplements¹

Easy Navigation: Easy-to-use interface with multiple options for exploring the Code

Printing: Simple, user-friendly print functionality and a variety of user options

Easy Exporting: Copy text quickly and easily into your preferred word-processing program

Email Links: Convenient shortcuts to email a link to a specific Code section

Bookmarking: Save as "favorites" to quickly return to popular sections of the Code

Archive CD: View a permanent archive of your Code without connecting to the Internet; provided annually

Electronic Index: Use a comprehensive list of key words and phrases to speed your searching

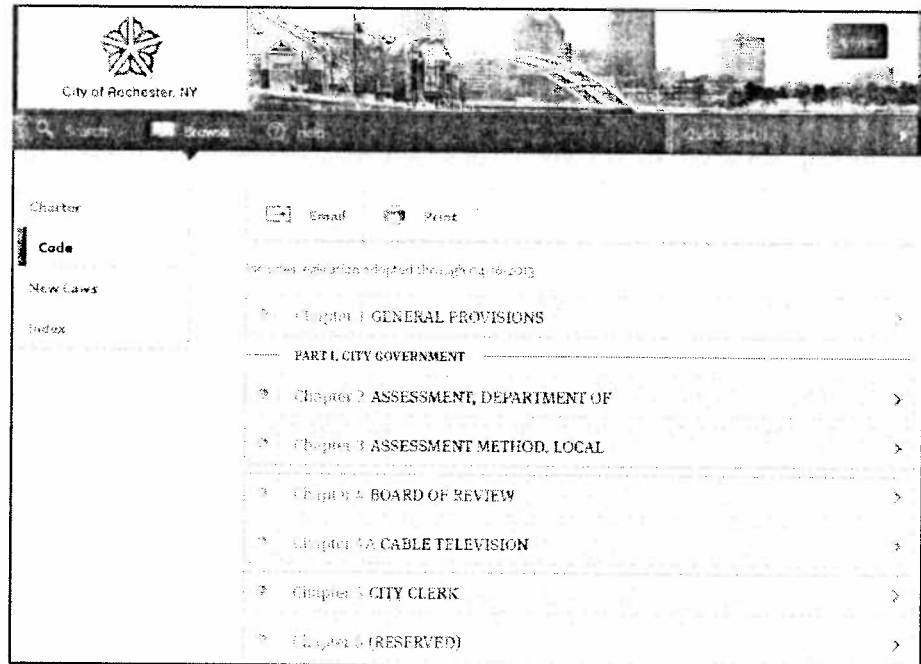
Free Upgrades With Additional Features

Customized Banner: A customized masthead banner and accent colors, for a seamless transition from your municipal website to your online Code

¹ **Pre-Supplementation Posting:** This service is included with the Annual Maintenance for eCode360. Between regular Code supplements, General Code will temporarily attach (append) verbatim copies of new legislation to your online electronic Code to provide ready access to information until such time as the legislation can be codified through supplementation. If supplementation does not occur within one year of posting, General Code will remove the link to the new legislation.

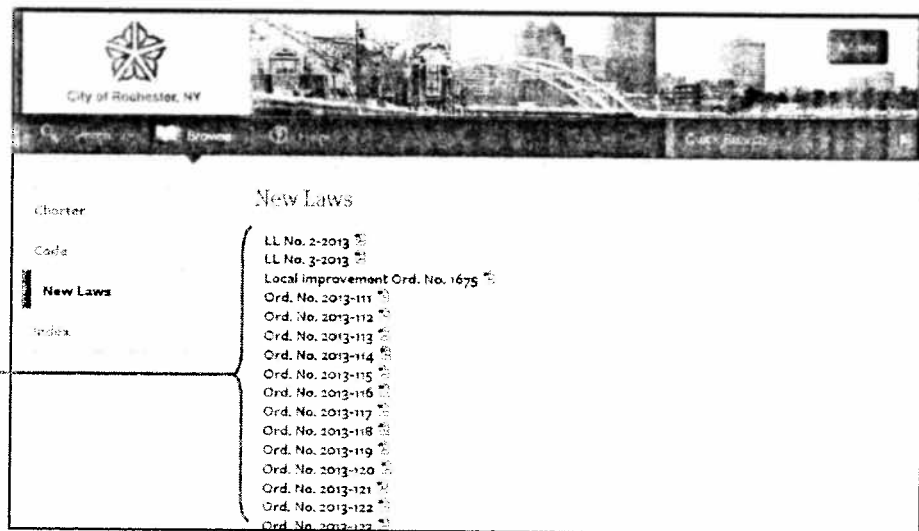
Opening Page with Masthead Banner

Masthead Banner and
Accent Colors

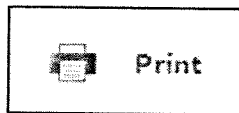


Posting of New Laws

Post legislation not yet codified
in between supplements



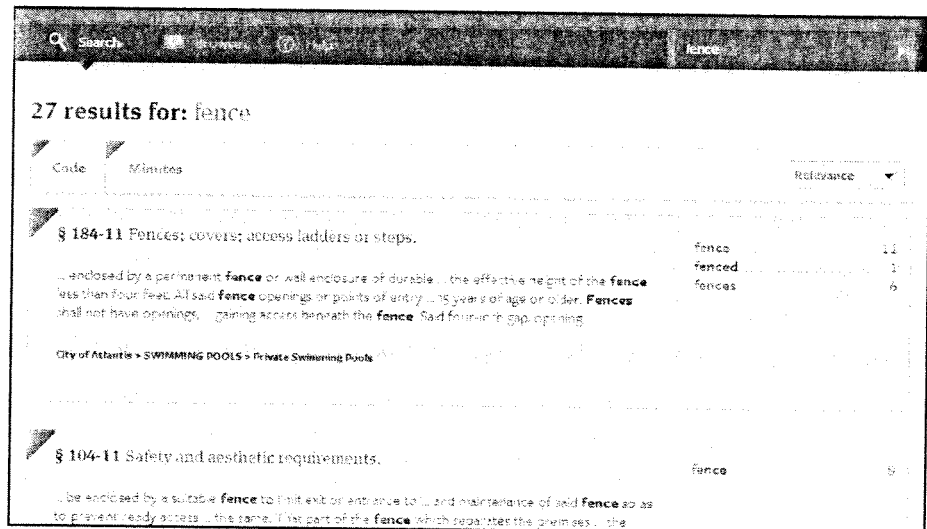
Printing



Clicking the Print Button will open a new tab with your selected text print-ready, with some options to adjust text size.

If no selections have been made, eCode360 will give you all content available from that page. For example, if you would like an entire chapter printed, click on the Chapter from the Table of Contents. Leave all title bars unselected, and click the Print button in the eCode360 Toolbar. A new tab will open with the entire chapter, formatted for print.

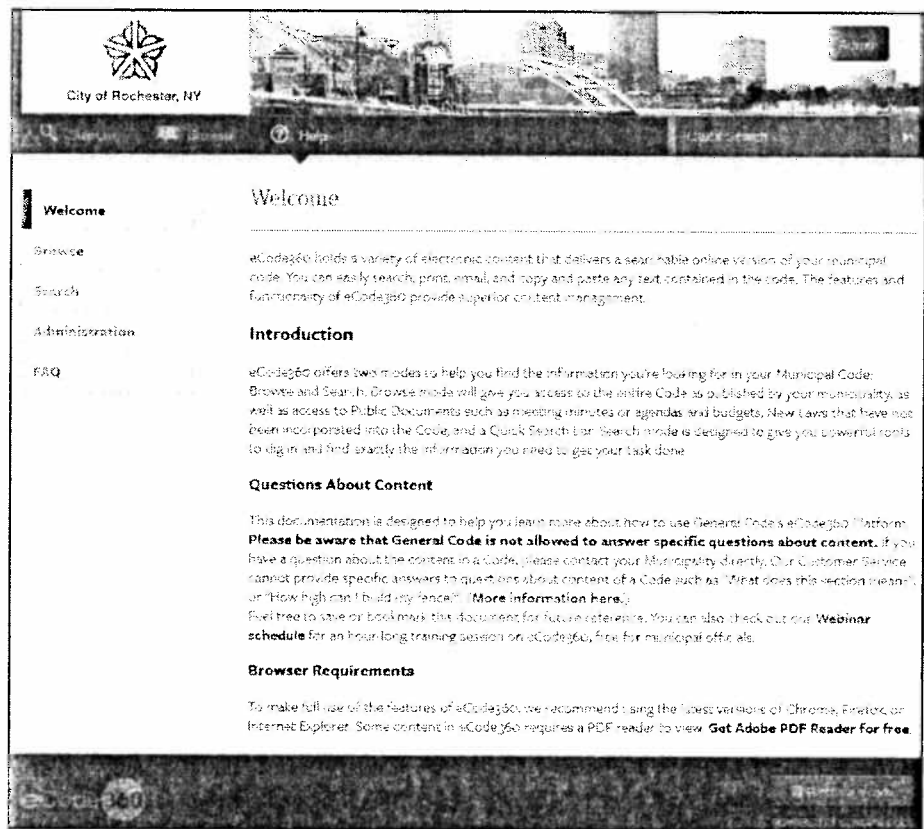
Search Results



You may enter Search Mode by clicking the "Search" icon. This will bring you to a page with a field to enter your search term and a search button. Enter your term and any helpers (see Advanced Search) and either click "Search" or hit enter.

You may also begin your search by entering a term in the quick search bar and hitting enter.

Help Page



City of Rochester, NY

Welcome

Browse

Search

Administration

FAQ

Welcome

eCode360 holds a variety of electronic content that delivers a searchable online version of your municipal code. You can easily search, print, email, and copy and paste any text contained in the code. The features and functionality of eCode360 provide superior content management.

Introduction

eCode360 offers two modes to help you find the information you're looking for in your Municipal Code: Browse and Search. Browse mode will give you access to the entire Code as published by your municipality, as well as access to Public Documents such as meeting minutes or agendas and budgets. New Laws that have not been incorporated into the Code, and a Quick Search for Search mode is designed to give you powerful tools to dig in and find exactly the information you need to get your task done.

Questions About Content

This documentation is designed to help you learn more about how to use General Code's eCode360 Platform. **Please be aware that General Code is not allowed to answer specific questions about content.** If you have a question about the contents in a Code, please contact your Municipality directly. Our Customer Service cannot provide specific answers to questions about content of a Code such as "What does this section mean?", or "How high can I build my fence?" ([More information here.](#))

Feel free to save or bookmark this document for future reference. You can also check out our **Webinar schedule** for an hour-long training session on eCode360, free for municipal officials.

Browser Requirements

To make full use of the features of eCode360 we recommend using the latest versions of Chrome, Firefox, or Internet Explorer. Some content in eCode360 requires a PDF reader to view. [Get Adobe PDF Reader for free.](#)

Performance and Payment Schedule

Performance Schedule

Deliverable	Delivery Date
Preliminary telephone conference	Within 30 days of contract signing
Submission of the Organizational Analysis	Within 80 days of contract signing and receipt of the materials; the Town has 30 days for review
Submission of the Manuscript and Editorial and Legal Analysis	Within 120 days of receipt of the responses to the Organizational Analysis; the Town has 90 days for review
Submission of Draft	Within 100 days of receipt of responses to the Editorial and Legal Analysis; the Town has 30 days to review
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code

Performance schedule reflects business days excluding legal holidays.

Payment Schedule

Percentage of Total Project Price	Milestone
20%	Invoiced within 30 days of contract signing
20%	Invoiced upon submission of the Organizational Analysis
20%	Invoiced upon submission of the Manuscript and Editorial and Legal Analysis
20%	Invoiced upon submission of the Draft
20%	Invoiced upon delivery of the Code

Investment Detail and Options

Base Codification Project Price \$ 14,900

Your base codification project includes the following:

- Preliminary Telephone Conference
- Codify Legislation Through April 18, 2014
- Conversion of the Code into an XML Document with General Code Numbering and Format
- Organizational Analysis
- Editorial and Legal Analysis
- Manuscript
- Editorial Work
- Proofreading
- Draft
- Duplication and Publication of 10 Code Volumes in Standard Imprinted Post Binders
- Comprehensive Index
- Disposition List
- Customizable Tabs
- Code Adoption Legislation
- Standard eCode360 (Set-Up and First Year)
- Customized Masthead Banner
- Shipping

Standard eCode360® Annual Maintenance \$ 995

The maintenance fee is an annual recurring flat fee. Therefore it is our recommendation that the Town budget for this service each year. The fee covers annual licensing, web hosting, and posting of new legislation between regular Code supplements. Please note that this does not include the cost for codifying new legislation.

Optional Components

These options are available to you at an additional charge:

\$67	Price per Additional Code Book
	<i>Please note: These copies are in addition to the 10 Code books included in the base price.</i>	

Prices noted are valid for 6 months from the date of this proposal.

Appendix



The Code Solution 18

Formatting and Style..... 19

Sample Page..... 21

Future Supplementation Services 22

The General Code Codification Process At-a-Glance 24

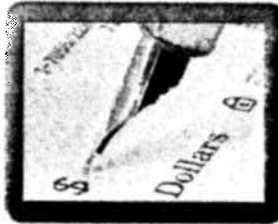
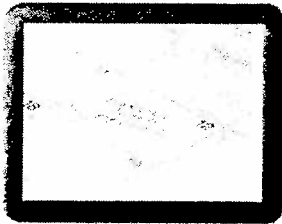
Maine Code Customers..... 25

The Code Solution

Why Codify?

As a municipal official, you need accurate and easily accessible information to effectively serve your constituents. A Code is an investment that will save you time and money and serve your community efficiently now and in the future.

Organization and Presentation



To “codify” means to collect and organize a body of law in a systematic way. Codification is the collection and organization of all your currently effective legislation of a general and permanent nature into a numbered and uniformly presented document that is easy to read and use. A codification project can also include a comprehensive editorial review of your legislation and, if needed, revisions and updates to correct conflicts and inconsistencies.

There are several compelling reasons to have a Code:

Avoid confusion and ensure accurate interpretation and enforcement. By compiling all of your ordinances and legislation into a single up-to-date document, courts, police and other officials charged with enforcement can have a practical and efficient tool on which they can rely for accurate information.

Respond quickly and accurately to questions. A Code is an easily used resource for local officials, enabling them to find the information they need to answer questions from constituents as well as other local government officials.

Fulfill a community obligation. It is the responsibility of the Town to maintain its laws in an up-to-date and readily understandable form that citizens can find and use.

Plan for future growth and development. An up-to-date Code provides a clear view of existing regulations and situations and makes it easier to determine the impact of proposed changes and amendments.

Technology has greatly improved the way local governments store, maintain and gain access to documents. Today your Code is much more than a book – it’s actually a body of information that is also stored electronically. This information, your Code database, is the foundation for maintaining a Code of law that is always accurate and up-to-date. In addition to paper copies, you can have a fully searchable electronic version of your Code networked within your local government so that everyone has immediate access to the most current information. You can easily make your Code available to citizens 24 hours a day by putting it on the Internet.

Formatting and Style

Innovation With Thought

General Code's printed code services have become the hallmark of quality in the codification industry, just as eCode360 sets the standard for online innovation. Our experience and attention to detail in the design and production of your Code go hand-in-hand with our approach to customer service.

Organization

The Code will be organized and divided into parts to accommodate different types of legislation. Typically Part I is made up of the legislation of an administrative nature, namely, that dealing with the Town's departments, officers and employees; Part II is made up of the legislation that regulates the general public. Within each part, the various pieces of legislation will be organized into chapters, which will be arranged alphabetically by subject matter. For example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." Wherever there are two or more pieces of legislation dealing with the same subject, they will be combined into a single chapter. In such chapters, the use of article designations will preserve the identity of the individual pieces of legislation. The Town will have the opportunity to review and approve the organization of the Code.

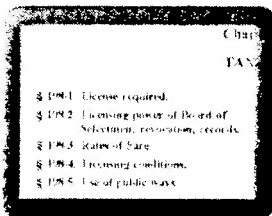


Table of Contents

The Table of Contents lists the various chapters included in the Code and can be used to help locate desired provisions. Space will be reserved for later insertion of new material in its proper alphabetical sequence. Such space is accommodated in the body of the Code by breaks in the chapter numbering and in the page-numbering sequence between chapters.

Pagination

Each chapter forms an autonomous unit in the page-numbering system. The first page number in each chapter is the number of that chapter followed by a colon and the numeral "1." For example, Chapter 6 begins on page 6:1, Chapter 53 on page 53:1, etc. If a page were to be added between pages 53:2 and 53:3, it would be numbered 53:2.1. This system makes it possible to add or to change pages in any chapter without affecting pages in other chapters and to insert new chapters without affecting the existing organization.



Scheme

The scheme is the list of section titles that appears at the beginning of each chapter and which precedes the text. These titles are written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease of reference, section titles are repeated as section headings in the text.

Section Numbering

In a chapter-related section-numbering system, each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. For example, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can also be added between existing sections by using a decimal system. For example, if two sections were to be added between §§ 53-4 and 53-5, they would be numbered as §§ 53-4.1 and 53-4.2.



Legislative Histories

The legislative history for each chapter or article, as appropriate, is located immediately following the scheme for that chapter or article. The history indicates the specific legislative source from which the chapter was derived, including the enactment number and the date of adoption. Amendments to individual sections or subsections are indicated by boldfaced histories directly in the text.

General References and Editor's Notes

Each chapter containing material related to other chapters in the Code includes a table of General References to direct the reader's attention to those related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Sample Page

Section numbers reflect both the number of the chapter in which the legislation is included and the location of the section within that chapter. This facilitates referencing and indexing sections.

Page heads indicate which sections appear on a particular page, making sections quick to locate.

§ 198-1

Chapter 198

§ 198-3

TAXICABS

§ 198-1. License required.

§ 198-2. Licensing authority; revocation; records.

§ 198-3. Rates of fare.

§ 198-4. Licensing conditions.

§ 198-5. Use of public ways.

Every chapter is preceded by a Schema, which lists each section by title. Taken together, the titles serve as a summary of the contents of the chapter.

[HISTORY: Adopted by the City Council of the City of Springfield. Amendments noted where applicable.]

The History indicates the specific legislative source from which the chapter is derived.

GENERAL REFERENCES

Vehicle noise restrictions — See Ch. 75.

Vehicle and traffic regulations — See Ch. 111.

A table of General References directs the reader to related chapters.

§ 198-1. License required.

No person shall set up, use, or drive in the City any unlicensed taxicab or motor vehicle for the conveyance of passengers for hire from place to place.

§ 198-2. Licensing authority; revocation; records.

City Council may license taxicabs or motor vehicles for the conveyance of persons for hire from place to place within the City. It may revoke such licenses at its discretion. A record of all licenses so granted or revoked shall be kept by the City Council.

For precision of reference, section titles are repeated as headings in the text.

§ 198-3. Rates of fare.

A. Minimum zone rates. [Amended 2-12-1980 by Ord. No. 80-73 '1]

Amendments to individual sections or subsections are noted in the text at the location which most precisely pinpoints the amended material.

(1) On all trips originating or terminating north of Riverside Cemetery, the following minimum zone rates may be charged for distances north of said cemetery, which portion of the City is hereby divided into three zones as follows:

- (a) Zone A, from Riverside Cemetery to and including Boxart Street: \$2.50, plus \$1 for each additional passenger.
- (b) Zone B, from Boxart Street to and including Denise Road: \$3.50, plus \$1 for each additional passenger.
- (c) Zone C, from Denise Road to and including Beach Avenue: \$4, plus \$1 for each additional passenger.

(2) Each zone shall include all areas lying between the lines of its boundary streets extended to the easterly and westerly limits of the City. The minimum rates

A simple ordinal numbering system presents material in a clear, easy-to-read format.

1. Editor's Note: This ordinance provided an effective date of 3-31-1980.

Editor's Notes provide supplementary information for the Code user.

198:1

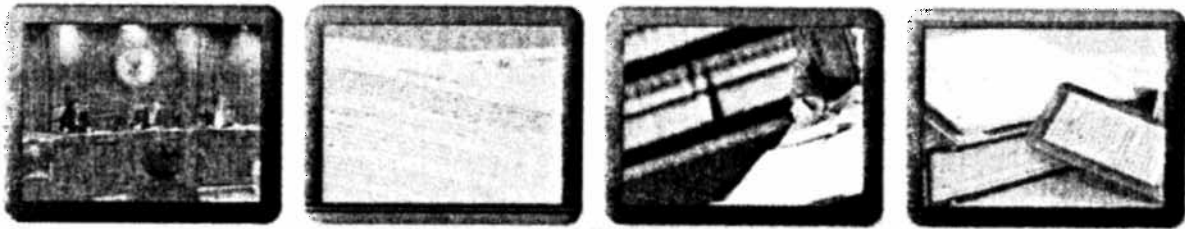
The underline indicates the date the page was printed.

01 - 15 - 2010

Future Supplementation Services

Your Code is an evolving document.

After your new Code is delivered, in order to protect your investment and maintain an accurate and reliable resource, your Code should be kept up-to-date. General Code's supplementation services are designed to make the process easy, fast and accurate.



Materials

After the enactment of new legislation, the Town can forward a copy by whatever method is most convenient.

Electronic copies of the legislation can be sent via email to ezsupp@generalcode.com. A reply email will be sent confirming receipt of your transmission. We have other options for transferring large files and will provide the necessary information if requested.

In addition, paper copies of as-adopted legislation can be sent via US Mail or by Fax to 585-328-8189, and a confirmation postcard will be returned upon receipt of materials.

General Code will hold legislation pending a pre-approved schedule, or begin the job, as directed by the Town. Please note that charges for supplementation services are outside of the scope of this proposal and will be billed separately. An estimate of the charges applicable to a particular supplement is available upon request.

Posting of New Laws

Between regular Code supplements, General Code will temporarily attach (append) verbatim copies of new legislation to your online electronic Code to provide ready access to information until such time as the legislation can be codified through supplementation. If supplementation does not occur within one year of appending, General Code will remove the link to that new legislation.

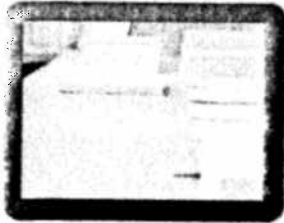
Schedule

Supplements will be provided on a schedule designed to meet the needs of the Town. Typical schedules may be monthly, bimonthly, quarterly, triannual, semiannual, or annual, or upon authorization by the Town. Updates to the electronic version of the Code can occur on a more frequent schedule than printed supplements.

Our average turnaround time for processing routine supplementation is between 4 and 6 weeks.

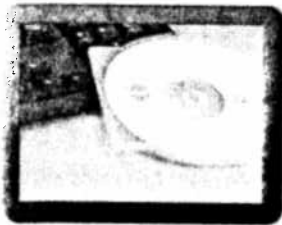
Editorial Work on Your Supplement

We will review the legislation to determine proper placement within the Code. General Code will adhere to the structure and style contained in the ordinance, unless changes are required to ensure consistency in the Code. General Code will also update the Table of Contents and index. Editorial notes will be appended to sections that require additional explanation. Any tables, drawings, or other graphics as are required by the Town shall be incorporated into the supplement. Additionally, for print supplements, an Instruction Page will be created to advise how to insert and remove pages.



Printed Supplements

Amendments to the printed Code occur in the form of printed supplement pages that are issued as replacement pages. Printed supplements include updated Table of Contents, Disposition List, Index and text pages, as well as an Instruction Page.



Electronic Updates

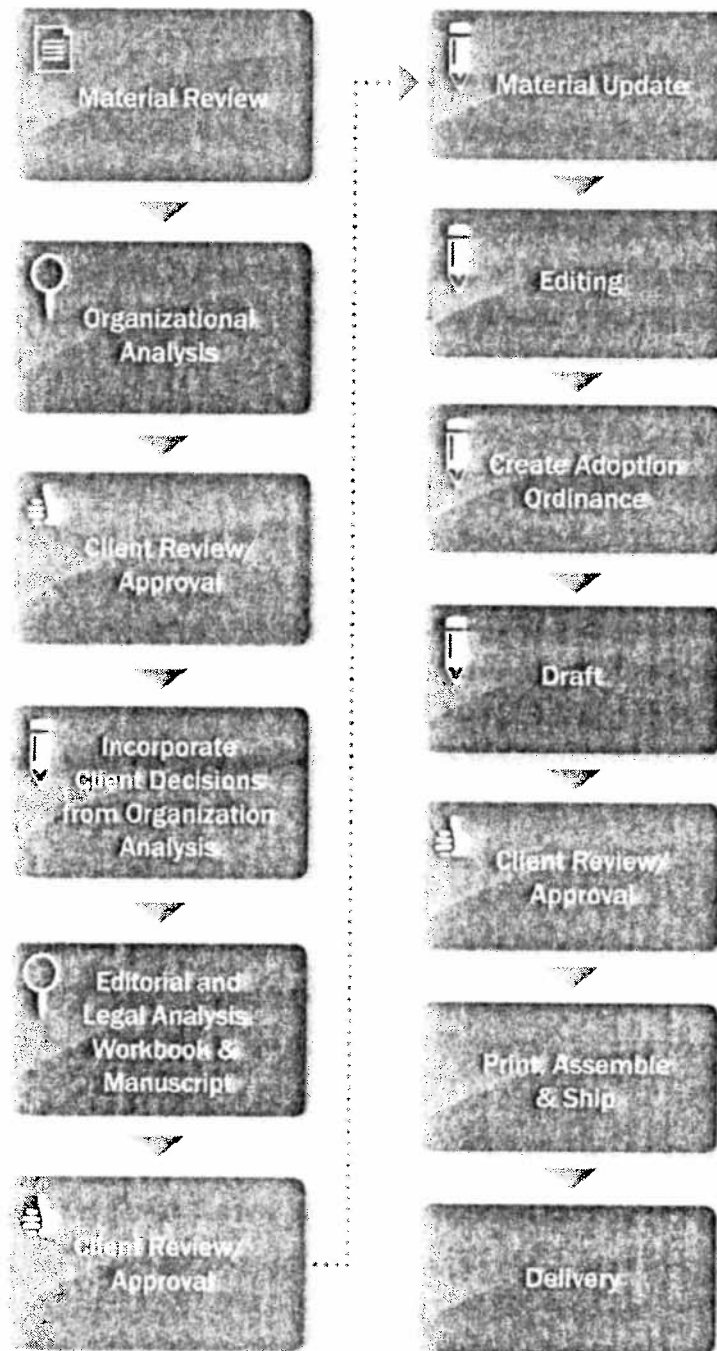
Amendments to the electronic version of the Code can be provided on their own schedule or can accompany printed supplements. Electronic updates will have been incorporated into the Code, and a fully searchable, complete Code will be delivered online or on CD.



Delivery

Printed supplements to the Code will be delivered in bulk to the Town, unless the Town chooses to utilize General Code's Distribution Services. The website will be updated within one or two business days as electronic updates are delivered.

The General Code Codification Process At-a-Glance



Maine Code Customers



City of Bangor

City of Biddeford

City of Saco

Town of Alfred

Town of Bar Harbor

Town of Bethel

Town of Boothbay Harbor

Town of Cumberland

Town of Islesboro

Town of Madison

Town of Sanford

Town of Shapleigh

Town of South Berwick

Town of Standish

Town of Topsham

Town of Wells

Authorization and Agreement

Base Codification Project

\$ 14,900

Optional Components

____ Additional Code book(s) @ \$67 each

\$

Total Investment

Including all of the options selected above, the project price will be:

\$

The Town of Hampden, Maine, hereby agrees to the procedures outlined above, and to General Code's Codification Terms and Conditions, which are available at www.generalcode.com/TCdocs, and are incorporated herein by reference, and authorizes General Code to proceed with the project.

TOWN OF HAMPDEN, PENOBSCOT COUNTY, MAINE

By: _____

Witnessed by: _____

Title: _____

Title: _____

Date: _____

Date: _____

GENERAL CODE, LLC

By: _____

Witnessed by: _____

Title: _____

Title: _____

Date: _____

Date: _____

Please sign and return this page to General Code. A signed copy of this agreement will be mailed back to the Town for its records.